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40<sup>TH</sup> ANNUAL REPORT  
OF THE  
INTERSTATE COMMERCE  
COMMISSION

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UNIVERSITY OF ILLINOIS



DECEMBER 1, 1926



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1926

## THE INTERSTATE COMMERCE COMMISSION

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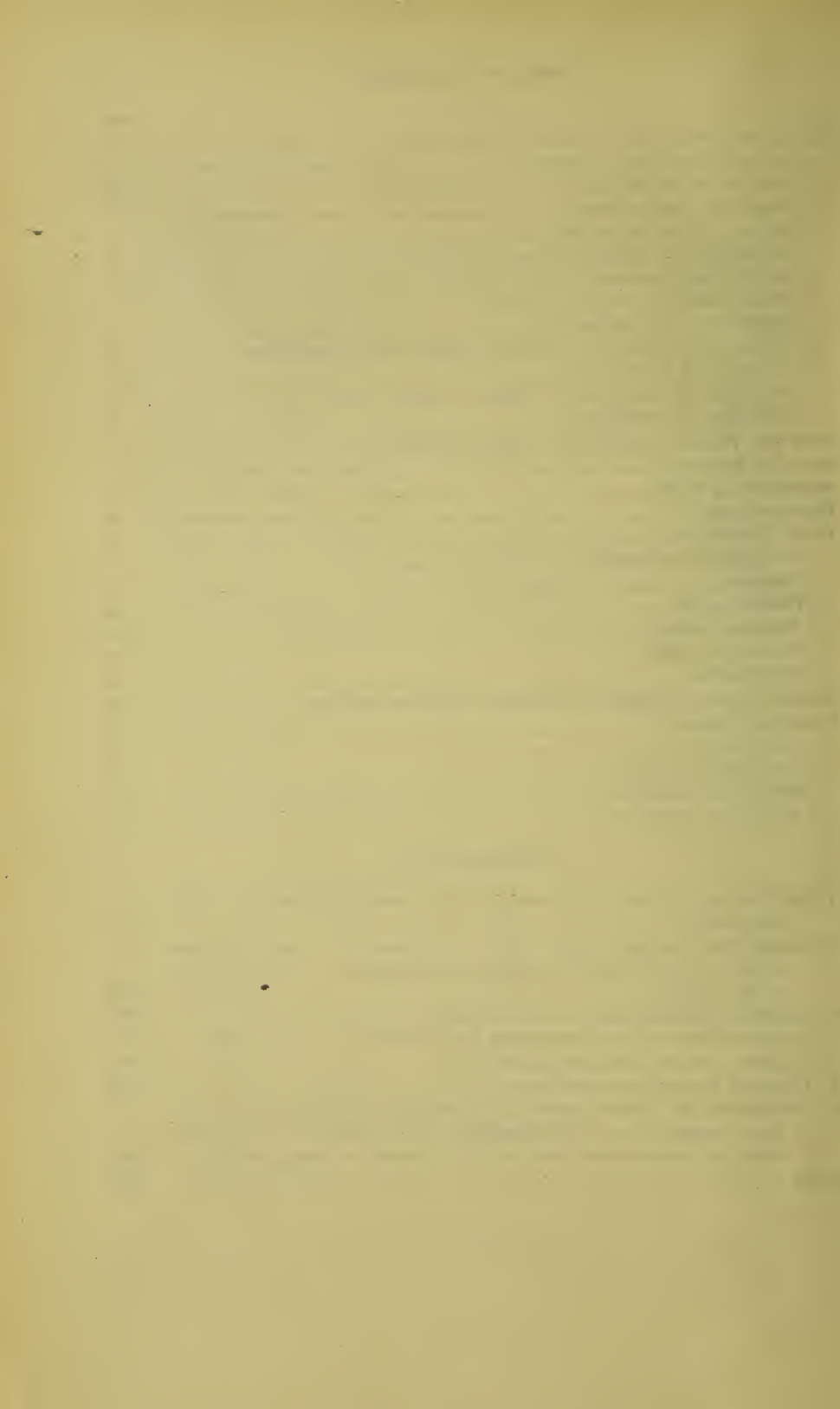
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# REPORT OF THE INTERSTATE COMMERCE COMMISSION

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WASHINGTON, D. C.,  
December 1, 1926.

*To the Senate and House of Representatives:*

The Interstate Commerce Commission has the honor to submit herewith its fortieth annual report to the Congress. The period covered by this report extends from November 1, 1925, to October 31, 1926, except as otherwise noted.

A statement of appropriations and aggregate expenditures for the fiscal year ended June 30, 1926, is embodied in Part I of this report. The names of employees and the expenditures in detail are set forth in Part II.

## COOPERATION OF FEDERAL AND STATE COMMISSIONS

In our last report we referred to the strengthened cooperative plan adopted October 17, 1925, and set forth its text. In an increasing number of instances its principles have been applied. A check of our records discloses that 27 State commissions have co-operated with us in 51 rate cases in which interstate-intrastate rate relations were in some manner involved, 22 in 44 construction and abandonment cases, and 6 in car-service cases. Moreover in matters affecting car service nearly all of the States have lent us their aid. In some no occasion arose, and in others more than one.

The two principal rate cases in which such cooperation was manifested are No. 17000, *Rate Structure Investigation*, and Ex parte 87, *Revenues in the Western District*. Committees of members and employees of State commissions west of the Mississippi River, and of several east thereof, took part in such cooperation. In the South there were two principal cases to which the cooperative plan was applied, one concerning rates on peaches and the other rates on lumber. In each of these cases a committee of commissioners representing the Southeastern Association of Railroad and Utility Commissioners participated in the hearings.

## RAILROAD EARNINGS

Since 1920 there has been a substantial increase in railway net earnings each year. The net railway operating income of the Class I railways was practically nothing in 1920; \$601,000,000 in 1921; \$760,000,000 in 1922; \$962,000,000 in 1923; \$974,000,000 in 1924;

\$1,121,000,000 in 1925; and in 1926 a further increase of 12.2 per cent appears in the returns of the first eight months. This showing is the net result of important changes within this period in volume of traffic, in freight rates, in wages and prices of materials, and in other influences affecting operating expenses. The operating revenues of 1920, \$6,178,000,000, were, by comparison with those of all preceding years, then considered extraordinary, although reflecting the rate increases of August, 1920, for but part of a year. In spite of the rate reduction of 1922 the aggregate revenues of 1923 and 1924 averaged approximately those of 1920, and for 1925 amounted to \$6,123,000,000. The revenues of 1926 in the first eight months were 4.8 per cent greater than in the same period of 1925.

The operating expenses in 1920 were \$5,831,000,000 as compared with \$4,537,000,000 in 1925, a reduction of \$1,294,000,000. The expenses for the first eight months of 1926 show an increase of 2.8 per cent over the same period in 1925. Taxes are not included in operating expenses, being reported in a separate account, but are deducted before arriving at net railway operating income, as are also certain rentals. Railway tax accruals of Class I roads and their lessors were \$284,000,000 in 1920 and \$360,000,000 in 1925. In the first eight months of 1926 the reports show an increase for the same period in 1925 of 9.1 per cent in this account.

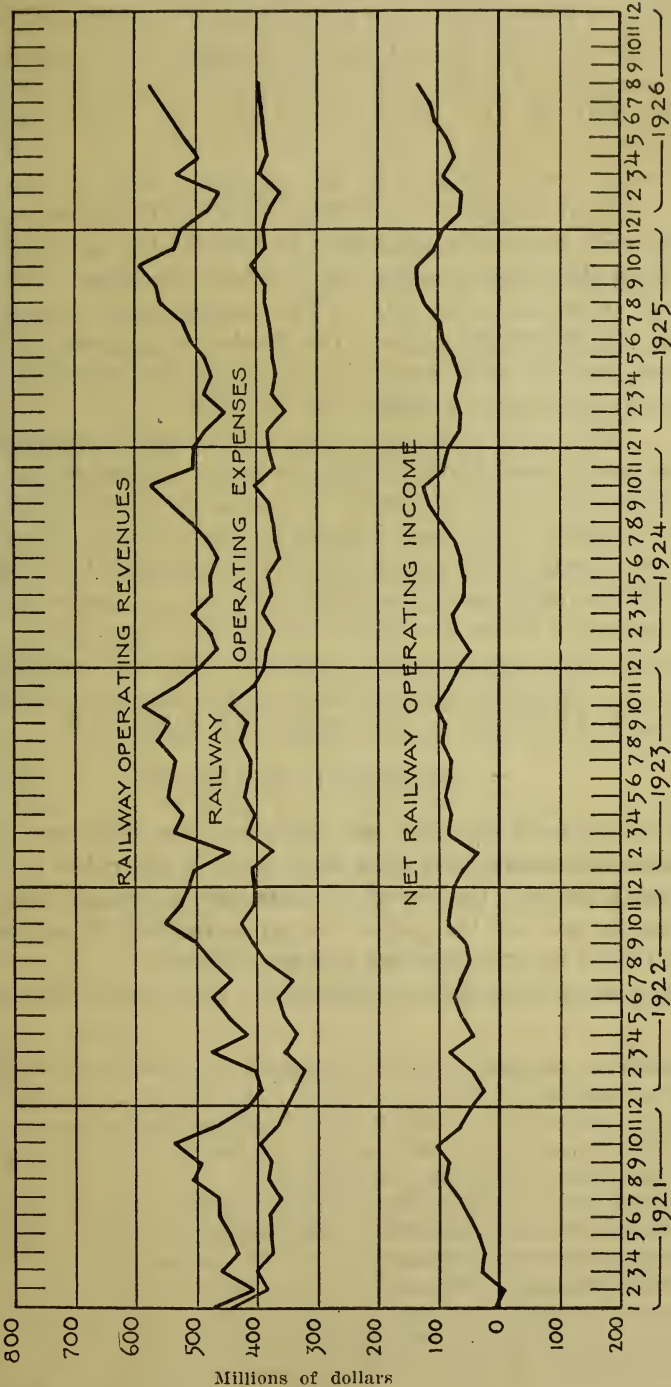
The accompanying chart shows the monthly fluctuations in revenues, expenses, and income from January, 1921, to August, 1926, inclusive.

The growth in net railway operating income is accompanied by, and in part dependent on, a growth in the investment. For 1920 the investment accounts show an average per mile of \$81,954, as contrasted with \$95,283 in 1925, the totals being \$19,849,000,000 for December 31, 1920, and \$22,709,000,000 for December 31, 1925, an increase of \$2,860,000,000 in five years, or an annual average increase of \$572,000,000. This is the net difference of the additions and retirements shown in the property accounts, without deduction for accrued depreciation. These totals relate to all operating roads, except switching and terminal companies, with the inclusion of the property of leased lines. An addition of \$572,000,000 to the net investment means an increase of \$32,890,000 annually in the interest or dividend charges, assuming that money invested out of net revenues is to earn the same return as new money invested in the property. We are without an authoritative fair property value with which to compare the net railway operating income. Upon the book value the return in 1925 was approximately 5 per cent.

In the five-year period 1920-1925 the total railway capital, being the sum of funded debt and stock, increased from \$20,098,046,374



RAILWAY OPERATING REVENUES, EXPENSES, AND NET RAILWAY OPERATING INCOME,  
BY MONTHS: CLASS I STEAM RAILWAYS IN THE UNITED STATES.



on December 31, 1920, to \$21,799,241,424 on December 31, 1925, an increase of \$1,701,195,050, or an average of \$340,000,000 per annum. The ratio of net income, after fixed charges, to the capital stock was 8.20 per cent in 1925. This is nearly equal to the corresponding figure, 8.40, for the calendar year 1916, the record year for this ratio.

The dividends declared by all operating roads, except switching and terminal companies, including those paid in some cases by one corporation to another, amounted to \$349,000,000 in 1925. This was less than the average amount of dividends declared in the five-year period ended June 30, 1914. The capital stock outstanding was nearly \$1,000,000,000 greater, the funded debt about \$2,000,000,000 greater, and the book investment \$6,700,000,000 greater in 1925 than in the five-year period ended June 30, 1914.

The railway net earnings in recent years appear more satisfactory in the eastern and southern districts than in the western. Although the recovery from war conditions has been slower in some regions than in others, every region shows an improvement in its operating ratio each year in the period 1920-1925, and in the first eight months of 1926 the ratio is approximately the same as, or better than, the corresponding figure for 1925 in every operating region.

Other data regarding the results of railway operation will be found in Appendix C, and also in the chapters relating to the "Bureau of Service" and the "Bureau of Statistics."

### SHORTENED PROCEDURE

In our report for 1923 we described the shortened procedure. Some modifications have since been made in the rules.

During the year the use of the shortened procedure was suggested by one or more of the parties in approximately 33 per cent of the cases placed on the shortened procedure docket.

The results, since the inception of this procedure, are shown below :

	Number of cases
Suggested for handling under the shortened procedure, either by us or by the parties-----	2, 205
In which method not accepted by one or more of the parties-----	629
In which agreement was subsequently reached by the parties making further formal proceedings unnecessary—	
Before service of complainant's memorandum-----	113
After service of complainant's memorandum-----	76
Pending on suspense calendar-----	11
In which complaints withdrawn-----	108
Dismissed for want of prosecution-----	4
In various stages short of submission-----	468
Under submission at end of period-----	136
Decided-----	660

In cases handled under the shortened procedure and thus far decided the average elapsed time to reach a decision has been 455 days from date of receipt of complaint and 359 days from date of receipt of complainant's memorandum of facts and argument.

## BUREAU OF SIGNALS AND TRAIN-CONTROL DEVICES

### ORDERS ISSUED IN DOCKET NO. 13413

As stated in previous reports, we adopted in June, 1922, specifications and requirements for the installation of automatic train-stop or train-control devices, and by order served on 49 carriers directed each to install by January 1, 1925, upon a full passenger-locomotive division, included within a designated portion of its lines, a device in accordance with these requirements. This order of June, 1922, is commonly referred to as the first order.

In January, 1924, we adopted and served a second order requiring 47 of the original 49 carriers each to install such a device upon a second full passenger-locomotive division, and each of the 45 additional carriers to install such a device on one full passenger-locomotive division within designated limits upon its line by February 1, 1926.

Two carriers, namely, the Richmond, Fredericksburg & Potomac and the West Jersey & Seashore, which were included in the first order, were omitted from the second order, as each of them had only one passenger division.

At the time our first order was issued there was one completed installation on a full passenger-locomotive division of the Chicago, Rock Island & Pacific, one on the Chicago & Eastern Illinois, and one on the Chesapeake & Ohio. These three installations are included under that order.

In our last report we further stated that the Buffalo, Rochester & Pittsburgh, Chicago & Erie, Chicago, St. Paul, Minneapolis & Omaha, and Western Maryland were, for cause shown, exempted from compliance with our first order. We have since extended the effective date of this order until further order in so far as it applies to the Kansas City Southern. This leaves a total of 44 carriers against which our first order now runs.

The Chicago, St. Paul, Minneapolis & Omaha, Western Maryland, Buffalo, Rochester & Pittsburgh, Oregon-Washington Railroad & Navigation Co., and the Pittsburgh & Lake Erie were exempted from the provisions of our second order, and the effective date thereof was suspended until further order in so far as it affected the Kansas City Southern, previous to the date of our last report. We have since exempted the Chicago & Erie and extended the effective date of the order until further order in so far as it affects



the Boston & Maine, Missouri Pacific, New York, Chicago & St. Louis, and Chicago & Alton. This leaves a total of 36 carriers against which our second order now runs.

This extension of the effective date of the order as affecting the Missouri Pacific and New York, Chicago & St. Louis was in consideration of the prompt undertaking and carrying to completion by those two railroads of material extensions of their automatic block-signal systems.

#### COMPLETED INSTALLATIONS, FIRST ORDER

The following is a list of the 37 installations completed under our first order:

Carrier	Miles of road to equip and equipped	Locomotives to equip and equipped	Device
A., T. & S. F.-----	104.5	87	Union continuous 3-speed.
A. C. L.-----	119.8	44	Gen. Ry. auto-manual train stop.
B. & O.-----	34.6	130	Do.
B. & A.-----	100.0	96	Do.
C. R. R. of N. J.-----	65.6	30	Union continuous 3-speed.
C. & O.-----	70.0	52	Union intermittent induction train stop.
C. & E. I.-----	105.4	134	Miller intermittent electrical contact train stop.
C. & N. W.-----	149.0	101	Gen. Ry. continuous 2-speed.
C., B. & Q.-----	82.1	55	Sprague intermittent magnetic train stop.
C., I. & L.-----	63.1	30	Do.
C., M. & St. P.-----	108.1	60	Union continuous train stop.
C., R. I. & P.-----	165.5	102	Regan intermittent electrical contact 3-speed.
C., N. O. & T. P.-----	157.0	95	Gen. Ry. auto-manual train stop.
C., C. & St. L.-----	128.2	72	Do.
D. & H.-----	115.7	66	Do.
D., L. & W.-----	140.5	69	Union continuous 2-speed.
G., H. & S. A.-----	51.0	40	National intermittent magnetic train stop.
G. N.-----	121.0	35	Sprague intermittent magnetic train stop.
I. C.-----	123.0	56	Union continuous train stop.
L. V.-----	65.0	150	Gen. Ry. auto-manual train stop.
L. & N.-----	162.0	47	Union continuous 2-speed.
M. C.-----	74.5	98	Gen. Ry. auto-manual train stop.
M. P.-----	49.9	39	National intermittent magnetic train stop.
N. Y. C.-----	145.1	444	Gen. Ry. auto-manual train stop.
N. Y., C. & St. L.-----	142.6	54	Union intermittent induction train stop.
N. Y., N. H. & H.-----	62.0	60	Union and general continuous train stop.
N. & W.-----	107.0	41	Union continuous 3-speed.
N. P.-----	109.0	33	Sprague intermittent magnetic train stop.
O-W. R. R. & N.-----	84.0	33	Union continuous 2-speed.
Pennsylvania.-----	83.2	162	Union continuous train stop.
P. M.-----	60.9	65	Gen. Ry. auto-manual train stop.
P. & L. E.-----	64.2	103	Union intermittent induction train stop.
Reading.-----	55.5	52	Union continuous 3-speed.
St. L.-S. F.-----	40.0	36	National intermittent magnetic train stop.
Southern.-----	154.0	65	Gen. Ry. auto-manual train stop.
S. P.-----	75.0	73	National intermittent magnetic train stop.
U. P.-----	102.0	95	Union continuous 2-speed.

#### INSTALLATIONS APPROVED, FIRST ORDER

Reports on final inspection and test for approval of installations made under our order of June 13, 1922, have been approved as follows:

Sub-No. 1. Chicago, Rock Island & Pacific—Regan intermittent electrical contact 3-speed.

Sub-No. 2. Chicago & Eastern Illinois—Miller intermittent electrical contact train stop.

- Sub-No. 3. Oregon-Washington Railroad & Navigation Co.—Union continuous induction 2-speed.
- Sub-No. 4. Galveston, Harrisburg & San Antonio—National intermittent magnetic train stop.
- Sub-No. 5. Southern Pacific—National intermittent magnetic train stop.
- Sub-No. 6. St. Louis-San Francisco—National intermittent magnetic train stop.
- Sub-No. 7. Norfolk & Western—Union continuous induction 3-speed.
- Sub-No. 8. Union Pacific—Union continuous induction 2-speed.
- Sub-No. 9. Chicago, Burlington & Quincy—Sprague intermittent magnetic train stop.
- Sub-No. 10. Great Northern—Sprague intermittent magnetic train stop.
- Sub-No. 11. Missouri Pacific—National intermittent magnetic train stop.
- Sub-No. 12. Reading—Union continuous induction 3-speed.
- Sub-No. 13. Central Railroad of New Jersey—Union continuous induction 3-speed.
- Sub-No. 14. Louisville & Nashville Railroad Co.—Union continuous induction 2-speed.
- Sub-No. 15. Atlantic Coast Line—General Ry. auto-manual train stop.
- Sub-No. 16. Chicago, Milwaukee & St. Paul—Union continuous induction train stop.
- Sub-No. 17. Northern Pacific—Sprague intermittent magnetic train stop.
- Sub-No. 18. Atchison, Topeka & Santa Fe—Union continuous induction 3-speed.
- Sub-No. 19. Pere Marquette—General Ry. auto-manual train stop.
- Sub-No. 20. Illinois Central—Union continuous induction train stop.
- Sub-No. 21. Delaware, Lackawanna & Western—Union continuous induction 2-speed.
- Sub-No. 22. Chicago & Northwestern—General Ry. continuous induction 2-speed.

In addition to the foregoing, reports are now in course of preparation after final inspection made upon completed installations under our order of June, 1922, as follows:

Baltimore & Ohio, Delaware & Hudson, Lehigh Valley, New York, Chicago & St. Louis, Pennsylvania, and Southern.

#### UNFINISHED INSTALLATIONS, FIRST ORDER

The following tabulations show the actual and the relative progress made by the remaining seven carriers which have not yet completed their respective installations under the first order:

Carrier	Miles to equip	Miles equipped	Locomotives to equip	Locomotives equipped
20 and less than 30 miles equipped:				
Erie.....	104.2	20.0	76	44
L. I.....	20.8	20.8	1457	4
30 and less than 50 miles equipped:				
C. & A.....	126.6	32.9	46	10
P., C. C. & St. L.....	187.5	44.4	139	0
W. J. & S. S.....	58.4	33.0	146	0
50 miles or over equipped:				
B. & M.....	105.6	99.5	133	127
R., F. & P.....	101.6	101.6	66	8

<sup>1</sup> Multiple unit cars

## SUMMARY OF PROGRESS, FIRST ORDER

Total road miles to be equipped	4,344.7
Total road miles equipped	3,992.2
Balance to be equipped, road miles	352.5
Total number of locomotives to be equipped	4,071
Total number of locomotives equipped	3,197
Balance to be equipped, locomotives	874
Percentage of total road miles equipped	91.8
Percentage of total locomotives equipped	78.5

## EFFECTIVE DATES FOR ORDERS

It was noted in our last report that in accordance with *Delaware & Hudson Co. v. United States*, 5 F. (2d) 931, certain of the carriers which were unable to complete their installations within the period provided in our order of June, 1922, i. e., by January, 1925, were, upon petition, granted an extension of the effective date. Additional time has been granted in other cases upon a showing of cause. The same is true of the order of January, 1924, the effective date of which was February 1, 1926.

## PRELIMINARY INSPECTIONS

In addition to the 24 railroads upon which, as stated in our last report, preliminary inspections and tests had been made upon initial installations, such inspections and tests have been conducted during the present year only on the Delaware & Hudson and Erie. With the publishing of reports on preliminary inspections and tests conducted on initial installations and the issuance of reports on the final inspections and tests for approval of completed installation—these covering the various types of train-stop and train-control systems—requests for the making of these inspections and tests have practically ceased.

## COMPLETED INSTALLATIONS, SECOND ORDER

The following is a list of the 18 installations completed under our second order:

Carrier	Miles of road to equip and equipped	Locomotives to equip and equipped	Device
B. & A.-----	98.2	126	Gen. Ry. auto-manual train stop.
B. & O.-----	92.5	75	Do.
C. & O.-----	57.0	15	Union intermittent induction train stop.
C., B. & Q.-----	82.0	39	Sprague intermittent magnetic train stop.
C., C., C. & St. L.-----	109.4	15	Gen. Ry. auto-manual train stop.
C. & E. I.-----	35.6	27	Miller intermittent electrical contact train stop.



Carrier	Miles of road to equip and equipped	Locomotives to equip and equipped	Device
C., N. O. & T. P.-----	177.0	63	Gen. Ry. auto-manual train stop.
C., R. I. & P.-----	171.8	50	Regan intermittent electrical contact 3-speed.
G. N.-----	109.0	24	Sprague intermittent magnetic train stop.
I. C.-----	92.5	38	Union continuous train stop.
M. C.-----	116.5	152	Gen. Ry. auto-manual train stop.
N. Y. C.-----	180.6	375	Do.
N. P.-----	106.7	35	Sprague intermittent magnetic train stop.
P. M.-----	75.7	65	Gen. Ry. auto-manual train stop.
St. L.-S. F.-----	61.2	36	National intermittent magnetic train stop.
S. P.-----	126.2	75	Do.
Southern-----	151.0	35	Gen. Ry. auto-manual train stop.
U. P.-----	123.0	31	Union continuous 2-sp ed.

## INSTALLATIONS APPROVED, SECOND ORDER

Reports on final inspection and test for approval of completed installations made under our order of January 14, 1924, have been approved as follows:

Sub-No. 8-2. Union Pacific—Union continuous 2-speed.

Sub-No. 19-2. Pere Marquette—General Ry. auto-manual train stop.

Sub-No. 20-2. Illinois Central—Union continuous train stop.

In addition to the foregoing, reports are in course of preparation after final inspection and test for approval upon completed installations made under our order of January 14, 1924, as follows:

Chicago, Burlington & Quincy, Southern Pacific, Great Northern, Southern, and Northern Pacific.

Following is information as to progress made to November 1, 1926, under our order of January 14, 1924, where installations have not been completed:

Carrier	Miles of road—		Locomotives—		Device
	To be equipped	Equipped to date	To be equipped	Equipped to date	
A., T. & S. F. <sup>1</sup> -----	72.9	60.0	0	0	Union continuous 3-speed.
A. C. L.-----	171.3	0	79	15	Gen. Ry. auto-manual train stop.
C. R. R. of N. J.-----	49.2	0	75	0	Union continuous train stop.
C. & N. W.-----	207.0	207.0	104	25	Gen. Ry. continuous 2-speed.
C., I. & L.-----	95.0	0	6	0	Sprague intermittent magnetic train stop.
C., M. & St. P.-----	104.0	0	34	0	Union continuous train stop.
D. & H.-----	77.0	0	110	0	Gen. Ry. auto-manual train stop.
D., L. & W.-----	115.0	0	295	0	Union continuous 2-speed.
Erie-----	92.0	6.0	60	1	Regan intermittent induction 3-speed.
G., H. & S. A.-----	120.0	32.0	21	19	National intermittent magnetic train stop.
L. V.-----	214.4	0	175	0	Not decided.
L. I.-----	25.0	0	113	0	Union continuous train stop.
L. & N.-----	139.7	55.8	45	30	Union continuous 2-speed.
N. Y., N. H. & H.-----	110.0	0	146	0	Not decided.
N. & W.-----	132.6	102.0	50	19	Union continuous 3-speed.
Pennsylvania-----	130.4	24.0	342	0	Union continuous train stop.
P., C. C. & St. L.-----	157.0	51.0	306	0	Do.
Reading-----	45.8	0	80	0	Not decided.

<sup>1</sup> Locomotives equipped under first order run through and constitute those required under second order.

## SUMMARY OF PROGRESS, SECOND ORDER

Total road miles to be equipped.....	4,024.2
Total road miles equipped.....	2,503.7
Balance to be equipped, road miles.....	1,520.5
Total number of locomotives to be equipped.....	3,317
Total number of locomotives equipped.....	1,385
Balance of locomotives to be equipped.....	1,932
Percentage of total road miles equipped.....	62.2
Percentage of total locomotives equipped.....	41.7

## RIDING UPON LOCOMOTIVES AND FREIGHT TRAINS DURING INSPECTION

In our last report we pointed out that it is necessary for our engineers to ride upon the locomotives and the freight trains of the carriers in connection both with the preliminary inspection of initial portions of installations and the final inspection and test of completed installations of train-stop and train-control devices made under our orders, and that certain carriers require these men to sign instruments releasing them from liability for injury or death which may result from transportation on such freight trains and locomotives. In this connection we repeat our recommendation that, since it is necessary for these employees, in the performance of their duties, to ride upon locomotives and upon freight trains contrary to the rules of the carriers, provision be made in the law which will make it the duty of the carrier to perform these transportation services for such compensation as shall be fixed from time to time by us, when the employees are properly identified.

## EXAMINATION OF PLANS

During the year plans and specifications of 14 train-stop and train-control devices were submitted for examination and report. Of these, 12 were found to be impracticable or unworthy of further consideration in the form presented, and two possessed sufficient merit to warrant further development. Of the latter, one was of the continuous type, and one of the intermittent electrical contact description.

## CHANGES IN INSTALLATIONS

During the year the Chesapeake & Ohio, which prior to our first order had completed and put in service an installation of one type of train-stop device, tentatively accepted as in compliance with that order, decided to abandon this installation and has removed the equipment. It has now completed installation of another type of device in compliance with both orders.



## TRAIN STOP OR TRAIN CONTROL WITHOUT WAYSIDE SIGNALS

In our first order we said:

We have decided not to limit by our order the installation of automatic train-control devices to roads, or portions of roads, already equipped with automatic block signals, because we have no desire to discourage efforts to automatically control trains without the aid of fixed wayside signals. The statement, therefore, of the primary function of automatic train-stop or train-control devices recognizes the possibility of installing such a device without the use of automatic block signals.

The statement referred to reads:

In prevailing practice the primary function of automatic train-stop or train-control devices is to enforce obedience to the indications of fixed signals; but the feasible operation of essentially similar devices used without working wayside signals may be regarded as a possibility.

In connection with this, it is of interest to note that the installations of the Illinois Central, in which are used the continuous stop device of the Union Switch & Signal Co., is without wayside signals, dependence being placed upon cab signals carried on the locomotive. The automatic block signals which were in use on that portion of the Illinois division on which the train stop is now in service were removed when the train stop was installed. On the Iowa division of this carrier automatic block signals have never been provided, and here, the line consisting of single track, the roadway equipment of the train-stop installation is designed upon the A. P. B. principle (absolute block for opposing movement and "permissive" or "restricted" block for following movements on the same track), and is without signals except as to certain stop-and-stay signals at station headblocks.

The installation of the three-speed continuous device of the Union Switch & Signal Co. on the Atchinson, Topeka & Santa Fe between East Fort Madison and Chillicothe, Ill., also differs from the usual installation. This system consists of complete cab signaling and automatic speed control in connection with a number of interlocking plants. Trains are operated by time-table, train orders, manual block signals, and the train-control device. There are several short stretches of track protected by automatic signals, but there is no uniform or complete system of automatic signals in train-control territory. The automatic signals installed are controlled through the track relays of the train-control system, but this system operates independently of the automatic signals and so does not enforce obedience to their indications. It is understood to be the intention of the carrier ultimately to remove all automatic signals in train-control territory, and that the installation of train control was made with this in view.

Another unusual installation is that of the Missouri Pacific between Leeds, Mo., and Stilwell, Kans., where the train-stop device employed is of the intermittent magnetic induction type without forestalling feature. Here a controlled manual block system, with 19 intermediate automatic block signals, is in use.

#### ACCIDENTS AND TRAIN CONTROL

The record of accidents investigated by our forces for the year ended June 30, 1926, shows 104 collisions and derailments, in which 192 persons were killed and 1,611 injured.

These accidents may be divided into four groups—(1) derailments; (2) collisions in automatic signal territory; (3) collisions in non-automatic signal territory; and (4) collisions in time-table and train-order territory and yards.

The following table shows the number of accidents in each group; the number upon which the finding of our bureau of safety was that "Had an adequate block-signal system been in use on this line, this accident probably would not have occurred; an adequate automatic train stop or train control device would have prevented it"; the number upon which the finding was "Had an adequate automatic train-stop or train-control device been in use on this line this accident would not have occurred"; and the number of persons killed and injured in such preventable accidents.

#### *Accidents investigated*

Group	Number of accidents	Number of persons killed	Number of persons injured	Preventable by train stop or train control			Probably preventable by block signals; preventable by train stop or train control			Not preventable by block signals, train stop, or train control		
				Number of accidents	Number of persons killed	Number of persons injured	Number of accidents	Number of persons killed	Number of persons injured	Number of accidents	Number of persons killed	Number of persons injured
1.....	43	78	666	1	1	2	3	3	7	39	74	657
2.....	16	47	291	8	32	195	3	6	37	8	15	96
3.....	5	9	71	2	3	34	3	6	37	13	18	18
4.....	40	58	583	4	4	15	23	36	550			
Total....	104	192	1,611	15	40	246	29	45	594	60	107	771

The number of preventable accidents as above indicated, the number of persons killed, and the number injured in such preventable accidents, represents 42.3, 44.3, and 52.1 per cent, respectively, of the total number of accidents investigated, persons killed, and persons injured.

## CONSOLIDATION OF RAILROADS

In our last report we referred to and explained proposed amendments to section 5 of the interstate commerce act to the effect, among others, of relieving us from the duty of adopting and publishing a complete plan of consolidation before proceeding to consider and approve or disapprove any particular consolidation. The need for amendment in this and other respects has been developed in hearings before the appropriate committees of both Houses of Congress and so generally recognized that, pending action thereon, we have deferred adoption and publication of a complete plan.

## BUREAU OF VALUATION

The bureau has bent its chief endeavor, this year as last, to the process of arriving at primary valuations of steam railroads, as of mid-year dates of inventory ranging from 1914 to 1922, for convenience termed valuation dates, and to checking the carriers' returns to valuation order No. 3, which calls for additions, betterments, and retirements affecting their properties since their respective valuation dates, in order to facilitate the bringing of primary valuations down to a current date, and also for the purposes of recapture.

The following table shows the number and scope of underlying reports on steam railroads completed as of October 31, 1925 and 1926:

Section	Oct. 31 of year—	Number of re- ports	Number of cor- porations	Miles of road <sup>1</sup>	Per cent of total mileage <sup>2</sup>
Accounting.....	1925	1, 073	1, 750	244, 110	99.89
Do.....	1926	1, 113	1, 771	244, 200	99.93
Engineering.....	1925	1, 040	1, 742	243, 042	99.45
Do.....	1926	1, 079	1, 792	244, 325	99.98
Land.....	1925	1, 123	1, 764	244, 045	99.86
Do.....	1926	1, 125	1, 766	244, 101	99.90

<sup>1</sup> Miles of first main and branch lines; no duplication for second or other main track or sidings.

<sup>2</sup> On the basis of 244,377 miles.

Similar information as to tentative valuations served is shown in the following table:

Item	Oct. 31 of year—	Number of reports	Number of corpor- ations	Miles of road	Per cent of total mileage
Tentative valuations.....	1926	894	1, 328	160, 486	65.67
Do.....	1925	657	981	125, 758	51.46

The first table includes underlying reports giving results of investigations made by the sections designated therein. Before use in preparation of tentative valuations they are reviewed and discussed



in order to eliminate errors and are subject to correction on the basis of other information developed as the work proceeds. Down to October 31, 1926, such underlying reports have been revised and made available for use in tentative valuations as follows: Accounting, 202,227 miles of road; engineering, 210,852 miles; land, 220,321 miles; the mileages so covered being respectively 83, 86, and 90 per cent of the total mileage in the United States.

It will be observed from the second table that the mileage covered as of valuation date by the tentative valuations served is approximately two-thirds of the total mileage of steam railroads in the United States.

#### HEARINGS AND REPORTS

Hearings on protests against tentative valuations were concluded in 227 cases, covering 53,405 miles, or 21.85 per cent of the total mileage, bringing the total number of cases in which hearings have been completed up to 439, covering 97,005 miles, or 39.69 per cent of the total. Sixty-three cases, covering 37,884 miles, or 15.50 per cent of the total, have been partly heard.

The total number of cases in which final value reports have been issued down to October 31, 1926, is 383, covering 16,508 miles. Of these, 164 cases, covering 10,898 miles, were decided after hearings on protests against the tentative valuations. The remaining 219, covering 5,610 miles, have become final by operation of law through lack of protest, and formal reports have been issued to that effect. In 62 other cases, covering 1,466 miles, no protest was filed within the statutory period, but reports declaring the tentative valuations final have not yet been issued. Our valuations have thus become final in 445 cases, covering 17,974 miles, or 7.3 per cent of the total mileage.

#### CONFERENCES

In former reports reference has been made to a plan of formal conferences as a substitute, in part, for the ordinary trial procedure in the taking of evidence on protests against tentative valuations.

These conferences are held between our technical representatives and those of the carriers, as well as those of the State commissions when able to participate. Except in a few unimportant instances they have resulted in the reduction of many issues to memoranda of agreement or stipulations for incorporation in the record, in lieu of long-drawn-out examination and cross-examination of witnesses in hearings. Our experience has convinced us that the conference plan has many advantages. It has been followed in numerous cases, including those of several of the most important carriers in the country, and thereby the records have been materially shortened and

simplified without sacrifice of any essentials or detriment to the public interest. An increasing number of carriers have indicated their intention of making formal applications for reference of their protests to conference as they come on for hearing. These applications are presented at scheduled hearings and all parties are advised and given like opportunity to be represented in the conferences. In some such cases we have had the advice and assistance of technical representatives of the State commissions.

#### RECAPTURE VALUATIONS

As in past years our valuation forces have prepared and presented the valuation data in proceedings for recapture of excess earnings under section 15a of the act. Hearings were completed in nine cases, covering 467 miles of road. Fourteen cases, covering 2,662 miles, have been partly heard. Others have been set for hearing.

The carriers' records and reports under this order should be policed and checked in order to effect the two main purposes of the order. These are that we may keep ourselves "informed of all extensions and improvements or other changes in the condition and value of the property of all common carriers" and that the original inventory of each carrier's property may be revised for use in determining values as of subsequent dates, all as required by section 19a. It need hardly be said that the quantum as well as the condition and value of carrier property is subject to constant change. By increased appropriation we have been enabled to assign a somewhat increased force to the administration of this order. This has averaged 64 employees, 40 of whom have been engaged in the field work of policing and checking the carriers' records. Up to the present time preliminary examinations have been made in the offices of 460 carriers. Complete field examinations, covering an average period of seven years subsequent to the various dates of valuation, have been made of the records of 205 carriers, aggregate mileage 68,000. Field examinations covering an average period of eight years are now in progress on 30 carriers, aggregate mileage 48,000. The present force available for this work still falls short of the requisite number.

#### THREE-YEAR PROGRAM

In our last report we referred to the difficulty experienced in recruiting our forces so as to complete the primary valuations, in so far as service of tentative valuations and hearings in protested cases are concerned, within a period of three years from July 1, 1925. Organization was perfected during the fiscal year ended June 30, 1926, and we are now operating with as large a personnel as our appropriation will permit. Our estimate of appropriations needed to

complete the three-year program calls for a smaller amount for the third year, beginning July 1, 1927, and ending June 30, 1928, than for the first two years. The foregoing analysis of progress during the first year of the program period affords reasonable ground for expecting a realization of our objective. But then, as now, we shall be facing the problem of how best to keep the valuations approximately current, and whether in so doing we must employ the means and methods used in making primary valuations. In our thirty-seventh report we called attention to the provision of paragraph (f) of section 19a, which reads:

Upon the completion of the valuation herein provided for, the commission shall thereafter in like manner keep itself informed of all extensions and improvements or other changes in the conditions and value of the property of all common carriers, and shall ascertain the value thereof and shall from time to time revise and correct its valuations \* \* \*.

In that report we said:

Our experience prompts serious doubts as to the practicability of proceeding in "like manner" in bringing valuations down to date. There must be general recognition of the fact that employment of the methods used in making the basic valuation would be cumbersome. The results would always be unsatisfactory because valuation would always be greatly in arrears of the time of its use, necessitating resort to estimates and other expedients to bridge a considerable interim.

Without repeating all that was said in that report on the subject of bringing valuation to date, although all of it is still pertinent, we again invite serious consideration of the necessity for some amendment of the valuation statute in this particular. We there said (p. 18):

Amendments have been suggested embodying different theories as to the proper method to be adopted, in substance as follows:

(1) An amendment providing that from and after completion of the valuation of the property of a carrier as of a fixed date, the commission shall from time to time, as it may have occasion to use the same, bring the valuation to date by adding to or subtracting from its original basic valuation of the property the net property changes, measured in dollars and cents, that are properly chargeable to or deductible from property account.

(2) An amendment providing that, from and after completion of the valuation of the property of the carrier as of the designated valuation date, the commission shall from time to time, according as it may have occasion to use the value of the property in performance of duties imposed on it by the act, ascertain and determine the condition and value of property on subsequent dates, taking into account any changes in such condition or value which may have taken place subsequent to the last preceding valuation date, and giving due consideration to all the elements of value recognized by the law of the land.

Both of the above necessarily contemplate the close policing and checking of property accounts, a work that already has been commenced. Either, if constitutional, would afford practical administrative results. In consideration of No. 1 above the question will arise whether the Congress, in the exercise



of its police and regulatory powers, can prescribe an investment or original cost basis for valuation, in ascertaining values for rate-making purposes, that would stand the test of constitutionality. These are considerations which are governing in the formulation of No. 2 above. Fundamentally, these two suggestions present different theories of valuation.

## BUREAU OF FINANCE

### CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

The following is a statement of applications filed during the year for certificates of public convenience and necessity under the provisions of paragraphs (18) to (22) of section 1 of the act, and of the disposition made of applications:

Item	Number	Miles of road
Applications filed:		
For authority to construct new lines or to extend existing lines.....	51	1, 280. 52
For authority to abandon mileage.....	46	937. 19
For authority to operate or to acquire and operate.....	39	2, 149. 29
Total.....	136	4, 367. 00
Certificates issued:		
Authorizing new construction.....	52	1, 573. 700
Authorizing abandonment.....	49	592. 562
Authorizing operation or acquisition and operation.....	37	2, 253. 198
Total.....	138	4, 419. 460
Applications denied:		
For authority for new construction.....	10	503. 12
For authority to abandon.....	5	73. 30
For authority to operate.....	2	126. 96
Total.....	17	703. 38
Applications withdrawn:		
For authority for new construction.....	6	307. 88
For authority to abandon.....	5	100. 26
Total.....	11	408. 14
Applications dismissed:		
For authority to abandon.....	2	30. 90
For authority to operate.....	2	174. 57
Total.....	4	205. 47

A number of the applications disposed of during the year were pending on October 31, 1925.

We have continued the practice of enlisting the cooperation of the State commissions in these cases. In 41 of them hearings have been held for us by State Commisisions, and in most of such cases in which a decision has been reached we have followed their recommendations.

A list of certificates issued will be found in Appendix F.

### ACQUISITION OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER

Under the provisions of paragraph (2) of section 5 of the act we are authorized to approve by order the acquisition by one carrier

of control of one or more other carriers, whether by lease, purchase of stock, or in any other manner not involving the consolidation of such carriers into a single system for ownership and operation, whenever we are of opinion, after hearing, that such control will be in the public interest, the acquisition to be under such rules and regulations, for such consideration, and on such terms and conditions as shall be found by us to be just and reasonable. We have held that applications filed under this paragraph must be supported by a clear and strong showing of public gain, and that there must be of record a substantial preponderance of evidence in favor of an application before we are warranted in giving it favorable consideration. Under this paragraph, 51 applications have been filed, 48 authorizations have been issued, 2 applications have been denied, 1 dismissed, and 1 withdrawn.

A list of authorizations issued will be found in Appendix F.

Several Class I carriers, notably the Missouri Pacific Railroad Co., the Southern Pacific Co., and the Illinois Central Railroad Co., have extended and rounded out their systems through acquisitions of control under this paragraph. The New York Central Railroad Co., the Pennsylvania Railroad Co., the Atchison, Topeka & Santa Fe Railway Co., and others, have utilized the controls effected to consolidate the operations of the lines of subsidiary companies with those of the parent companies. In several instances trunk-line carriers have been taken over connecting short lines either by purchase of the capital stock of the owning companies or by lease.

Since the effective date of paragraph (2) of section 5 we have authorized thereunder acquisition of control over approximately 31,000 miles of line. During the past year 51 applications have been filed and 48 granted authorizing the acquisition of 6,328 miles. Several cases of major importance are pending. We denied the application of the New York, Chicago & St. Louis Railway Co. for authority to acquire control of the Chesapeake & Ohio Railway Co., the Hocking Valley Railway Co., the Erie Railroad Co., and the Pere Marquette Railway Co., by the acquisition of at least a majority of their capital stock, and to lease the railroads of said companies and also the lines of the New York, Chicago & St. Louis Railroad Co. The considerations, terms, and conditions of the proposed acquisitions of control were found not to be just and reasonable, and we were unable to approve the applicant's financial structure. We also denied the application of the Norfolk & Western Railway Co. for authority to acquire control of the Virginian Railway under a 999-year lease for the reason that the acquisition proposed was found not to be in the public interest.



## CONSOLIDATION OF TELEPHONE COMPANIES

Under paragraph (9) of section 407 of the transportation act, 1920, we have received 25 applications and granted 26, authorizing telephone companies to merge their properties or portions thereof.

A list of authorizations issued will be found in Appendix F.

## RECOVERY OF EXCESS NET RAILWAY OPERATING INCOME, GENERAL RAILROAD CONTINGENT FUND

To date we have issued six general orders upon all carriers subject to section 15a of the act. Our last order was dated January 27, 1926, and covered the calendar year 1925. In response to these orders carriers have filed reports as follows:

Period	Number of reports	Number of reports in which excess income is reported	Amount of excess income reported
Applicable period, 1920.....	989	34	\$2,505,006.17
Calendar year, 1921.....	971	32	458,535.72
Calendar year, 1922.....	926	49	1,805,239.47
Calendar year 1923.....	894	51	6,830,144.30
Calendar year 1924.....	877	23	1,193,860.87
Calendar year 1925.....	710	24	2,261,908.92
Total excess.....			15,054,695.45

Many of these reports include groups of carriers claimed by respondents to have been under common control and management and operated as single systems within the provisions of paragraph (6) of section 15a. The question of grouping into systems is under consideration.

Under our orders carriers have been permitted to compute their claimed values upon such basis as they deem proper. Many different bases have been used. When the values have been fixed by us, the number of carriers found to have earned excess income and the amount of such excess income may differ from the results shown by the carriers' reports. Important principles pertaining to values under section 15a are under consideration in pending cases.

The act needs clarification both as to the bases for computation and the manner of enforcement. Pending determination of final values under section 19a, a base simple in application might well suffice for practical purposes with resultant saving in time and money not only to the Government but to the carriers. A number of bases may be suggested, as, for example, the investment accounts stated in accordance with our applicable accounting rules and regulations; the outstanding capitalization; or our primary valuations under section 19a as brought to date, either by adding to recorded cost of net additions and betterments since valuation date, a method

which gives weight to expenditures incurred during the recent periods of high prices, or by the use of percentage factors applied to 1914 prices. Other bases may possibly be suggested.

As to enforcement, the law not declares that one-half of the carrier's excess income as therein defined shall be held by it as trustee for the United States and be recoverable by and paid to the commission. Whether such recovery shall be effected by proceedings in court and, if so, whether by action at law or suit in equity, brought by the commission or by the United States, is left unsaid. What weight should be given to the finding made by the commission as to the excess income recoverable, and the elements which necessarily enter into such determination, should also be clarified by statute.

In our last report we stated that 198 electric railways claimed exemption from the provisions of section 15a. Several proceedings have been instituted to determine the status of individual companies, applying the principles announced in *Application of Section 15a of the Interstate Commerce Act to Electric Railways*, 86 I. C. C. 751, and it is expected that others will be necessary.

During the year 20 carriers paid to us the aggregate amount of \$930,403.57 on account of one-half of their excess income as preliminarily computed for the various recapture periods. This amount added to the \$5,687,645.61 paid prior to November 1, 1925, makes the total of such payments \$6,618,049.18. As the bulk of these payments has been made under formal protests and reservations, the general railroad contingent fund has not been made available for the purpose contemplated by the statute. As explained in our previous reports, contingent fund moneys are held in the Treasury of the United States as a trust fund for investment in obligations of the United States, as required by paragraph (10) of section 15a. The present status of the fund is as follows:

Payments by carriers of excess income-----	\$6, 618, 049. 18
Payments by carriers of interest on overdue payments-----	20, 298. 21
Interest from bank balances-----	2, 062. 30
Interest from investments in obligations of the United States---	482, 858. 38

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Total credits to the general railroad contingent fund----- 7, 123, 268. 07

The following obligations of the United States are held for account of the fund:

United States Treasury 4 per cent bonds, maturing 1944-1954---	\$3, 630, 000
United States Treasury 3¾ per cent certificates of indebtedness, series T. D. 1926, maturing December 15, 1926-----	1, 000, 000
United States 4¼ per cent second Liberty loan bonds (converted) of 1927-1942-----	60, 650
United States 4¼ per cent third Liberty loan bonds of 1928-----	2, 379, 800
Total face amount-----	7, 070, 450

Of the formal hearings set under this section for the determination of value and income, 26 have been concluded, 14 are in progress, and 5 have not yet been opened. During the year 3 new hearings were set and 9 were concluded. Two of those previously reported as concluded have been reopened.

A list of carriers which made payments to us during the year on account of excess net railway operating income for the six recapture periods ended December 31, 1925, showing the amounts paid, will be found in Appendix F.

#### ISSUANCE OF SECURITIES AND ASSUMPTION OF OBLIGATIONS

We have received 190 applications and 16 supplements thereto, and 1 petition for rehearing, under section 20a of the act, and have authorized the issue of securities and the assumption of obligations and liabilities in respect of securities of others in the following aggregate amounts and for the following purposes:

##### Preferred stock:

For acquisition of equipment.....	\$225, 000. 00
For additions and betterments (nature not fully specified).....	13, 000, 000. 00
For additions and betterments other than equipment.....	500, 000. 00
For exchange for common stock.....	15, 117, 550. 00
For general corporate purposes (not segregated).....	595, 000. 00
For reorganization.....	8, 912, 795. 99

Total.....	\$38, 350, 345. 99
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##### Common stock:

For acquisition of equipment.....	\$125, 000. 00
For acquisition of property other than equipment.....	2, 103, 100. 00
For acquisition of securities of other companies.....	44, 169, 450. 00
For construction of new lines, extensions, facilities, etc.....	3, 635, 000. 00
For conversion of unmatured funded debt.....	250, 000. 00
For exchange for common stock.....	15, 117, 550. 00
For exchange for preferred stock.....	11, 612, 796. 39
For general corporate purposes (not segregated).....	164, 500. 00
For payment of advances.....	50, 000. 00
For reimbursement of treasury for capital expenditures not capitalized.....	2, 600, 000. 00
For sale, proceeds used for capital purposes, including acquisition of equipment.....	24, 000. 00
For stock dividends.....	6, 448, 360. 85

Total .....	{ 86, 299, 757. 24
	{ 173, 000

Total stock.....	{ 124, 650, 103. 23
	{ 173, 000

<sup>1</sup> Shares of stock without nominal or par value.



## Mortgage bonds:

For acquisition of equipment-----	\$140,000.00
For acquisition of property other than equipment-----	2,875,000.00
For acquisition of securities of other companies-----	18,427,500.00
For additions and betterments (nature not fully specified)-----	6,442,000.00
For additions and betterments other than equipment-----	10,554,000.00
For construction of new lines, extensions, facilities, etc-----	45,338,000.00
For exchange for bonds previously author- ized-----	63,297,500.00
For exchange for matured funded debt---	14,935,000.00
For exchange for unmatured funded debt---	31,235,000.00
For extension of matured funded debt----	36,307,000.00
For general corporate purposes (not segre- gated)-----	37,291,500.00
For payment of advances-----	22,432,000.00
For pledge-----	93,670,397.00
For refunding purposes-----	16,322,000.00
For reimbursement of treasury for capital expenditures not capitalized-----	121,822,100.00
For sale to meet matured unfunded debt---	34,629,000.00
For sale to meet unfunded debt-----	16,940,000.00
Assumption of obligation and liability in respect of \$75,657,528.01.	
Total-----	<u>\$572,657,997.00</u>

## Notes, secured:

For acquisition of property other than equipment-----	\$400,000.00
For extension of matured funded debt----	60,000.00
For general corporate purposes (not segre- gated)-----	25,000.00
For refunding purposes-----	6,950,000.00
For reorganization-----	1,410,000.00
For sale to meet unfunded debt-----	12,000,000.00
Total-----	<u>20,845,000.00</u>

## Notes, unsecured:

For acquisition of equipment-----	\$488,274.10
For acquisition of securities of other com- panies-----	880,000.00
For additions and betterments (nature not fully specified)-----	275,000.00
For additions and betterments other than equipment-----	2,000,000.00
For exchange for matured funded debt----	76,118.48
For exchange for unfunded debt-----	689,000.00
For general corporate purposes (not segre- gated)-----	290,000.00
For payment of advances-----	27,500.00

## Notes, unsecured—Continued.

For refunding purposes-----	\$300, 000. 00
For reimbursement of treasury for capital expenditures not capitalized-----	250, 000. 00
Total -----	\$5, 275, 892. 58
Total notes-----	<u>26, 120, 892. 58</u>

## Equipment obligations:

Issued by carrier-----	\$500, 000. 00
Assumed by carrier-----	134, 417, 970. 00
Assumption of obligation and liability in respect of \$750,000-----	
Total-----	<u>134, 917, 970. 00</u>

## Receivers' certificates:

For acquisition of equipment-----	\$281, 900. 00
For extension of matured unfunded debt--	210, 000. 00
For general purposes (not segregated)----	350, 000. 00
For payment of advances-----	90, 000. 00
For refunding purposes-----	3, 200, 000. 00
For sale to meet unfunded debt-----	150, 000. 00
Total-----	<u>4, 281, 900. 00</u>
Grand total securities-----	<u>{ 862, 628, 862. 81</u> 173, 000

Under paragraph (9) of section 20a certificates of notification of the issue of notes, maturing within two years, in the aggregate sum of \$120,922,525.20 were filed.

## INTERLOCKING DIRECTORATES

Under the provisions of paragraph (12) of section 20a of the act it is unlawful for any person to hold the position of officer or director of more than one carrier unless such holding shall have been authorized by our order. During the period covered by this report we received 471 applications from individuals and 17 from carriers under this paragraph. These applications related to 1,167 different individuals. There were pending on November 1, 1925, 7 applications from individuals and 2 from carriers. Disposition was made of 470 applications, of which 451 individual applications and 17 carrier applications were granted in whole or in part. One individual application and one carrier application were withdrawn.

As stated in our last report, the effect of the statute can not be measured by the number of cases in which we have refused to grant authority. It may be assumed that in many instances the law has exercised a controlling influence in the selection of individuals for positions with carriers having conflicting interests. Comparatively few applications for authority to serve such carriers have been filed with us.

<sup>1</sup> Shares of stock without nominal or par value.

## REIMBURSEMENTS OF DEFICITS DURING FEDERAL CONTROL

In our last report we stated that 397 carriers had filed claims for reimbursement under section 204 of the transportation act, 1920, aggregating approximately \$27,289,000. During the past year 25 additional claims have been filed, increasing the total amount claimed to \$28,071,864.18. Since the effective date of section 204 we have settled 247 and have dismissed 120 claims. Five claims have been withdrawn. We have issued certificates in settlement and in partial payments aggregating \$10,216,783.30. Of the latter amount \$2,349,744.34 was withheld under the provisions of the urgent deficiency act of May 8, 1920, as traffic balances and other indebtedness due the Director General of Railroads, as agent.

The estimated amount required to settle the 50 outstanding claims is approximately \$1,000,000.

We stated in our last report that in making our settlements we have excluded from consideration the early portion of the Federal control period, in conformity with our ruling that carriers are not entitled to the benefits of section 204 for the period prior to their relinquishment, under section 14 of the Federal control act; that our position was, in effect, upheld by the Supreme Court of the District of Columbia in *U. S. ex rel. Abilene & Southern Railway Company v. Interstate Commerce Commission*, opinion dated January 8, 1925, and that the case was pending on appeal. On March 15, 1926, the United States Supreme Court denied petition for writ of certiorari to the Court of Appeals of the District of Columbia.

Mention was made in our last report of the fact that the statute sets no limit upon the period for the presentation of claims under section 204, and we recommended that, in order that the work under this section may be brought to a close within a reasonable time, consideration should be given to a requirement that any further claims must be filed within a limited period. We again recommend the enactment of an amendment to the section fixing a time limit for the filing of claims thereunder.

A list of the carriers with which settlement has been effected, the amounts of certificates, and the traffic balance or other indebtedness certified in connection therewith as being due the Director General of Railroads, as agent, as well as a list of cases dismissed during the year, will be found in Appendix F.

## SIX MONTHS' GUARANTY AFTER TERMINATION OF FEDERAL CONTROL

The guaranty under section 209 of the transportation act, 1920, was conditioned upon carriers filing an acceptance of its provisions on or before March 15, 1920. As stated in our previous reports, 667 carriers filed such acceptances, and claims aggregating approximately



\$657,000,000 have been filed by these carriers pursuant to our order of December 15, 1921, Finance Docket No. 1606, 70 I. C. C. 711. This order excluded from consideration certain elements in effecting settlements under the guaranty for which claims had previously been made.

Since the effective date of section 209 we have settled 513 claims and dismissed 132, leaving 22 awaiting final disposition. We estimate that it will require approximately \$830,000 to settle the 22 claims outstanding.

The total amount certified in disposing of 513 claims is \$508,680,612.09. In addition, we have also certified as advances and partial payments in the 22 unsettled claims an aggregate of \$20,957,010.15.

In the final disposition of 513 claims aggregating \$651,745,875.85 we have disallowed \$143,065,263.76 under our established procedure. These adjustments were due to accounting corrections relating to the test and guaranty periods, adjustments under section 4 of the Federal control act with respect to interest on additions and betterments; maintenance claims not allowable under paragraph (3) of subdivision (f), section 209; disproportionate items pursuant to paragraph (5) of that subdivision; deductions on account of unaudited items as provided in section 212; and special claims not recognized under our procedure.

A list of carriers with which settlements have been effected during the year and a list of carriers whose claims were dismissed will be found in Appendix F.

#### LOANS TO CARRIERS

In addition to granting extension of time for the repayment of four loans and the release and substitution of collateral securing two other loans, our duties during the year in connection with the revolving fund created by section 210 of the transportation act, 1920, have been only such as are usually incidental to supervision by the Secretary of the Treasury of loans outstanding under this section.

During the year a total of \$11,327,764.65 was repaid on account of the principal of outstanding loans.

A revised list of loans and repayments, together with a statement of the revolving fund, will be found in Appendix F.

#### BUREAU OF ACCOUNTS

Our duties under section 15a of the interstate commerce act have made it necessary to confine the field work of our bureau of accounts almost exclusively to examinations of carriers' accounts in connection with possible recapture by the Government of excess earnings under that section. Similar examinations have been made in connec-

tion with certain delayed claims under section 204 of the transportation act, 1920. All told, 421 examinations were made under section 15a and 24 under section 204. The investigation into the affairs of the Chicago, Milwaukee & St. Paul Railway Co. also required the services in the field of a number of our accountants for a considerable period of time.

In our last report we stated that hearings had been held and argument heard with respect to depreciation charges of steam railroads, telephone companies, and carriers by water, under paragraph (5) section 20 of the interstate commerce act. Early decision upon this troublesome and involved matter, in so far as steam railroads and telephone companies are concerned, is anticipated and will contain a comprehensive discussion of the general subject of depreciation charges and underlying principles which will so pave the way that progress may be made in promulgating similar rulings with respect to the other classes of carriers subject to our jurisdiction.

Tentative drafts of revised accounting classifications for steam railroads have been considered in detail by representative committees of the Railway Accounting Officers Association. These committees have suggested numerous modifications. After due consideration such changes as appear desirable will be made in the tentative drafts, which will then be submitted to the State commissions and others interested, in order that we may have the benefit of their recommendations and suggestions before the revisions are made effective.

The unexpended balance available at the close of the last fiscal year for this branch of our work was reappropriated for the current fiscal year, to be used in clearing up back work under the recapture clause of section 15a. The funds thus made available have been applied to the temporary employment of additional accountants for the year ending June 30, 1927. Through prompt action by the Civil Service Commission in arranging for the necessary examination and establishing the requisite eligible list we were enabled to proceed with these temporary appointments without delay. As a consequence our accounting staff is now recruited practically to the maximum strength made possible by the present appropriation.

The back work will be made up by the end of the current fiscal year. The temporary appointees must then, as matters now stand, be dismissed. Normal conditions, however, will not then have been restored. Our accounting duties, it should be remembered, are not limited to work in connection with section 15a. The increased amount of field work required under that section of the act and the necessity of restricting our accounting force to the limitations imposed by the appropriation have compelled us to forego our general examinations of carriers' accounts. We have found such examina-



tions to be the most effective method of policing the accounts, and their enforced cessation, therefore, seriously interferes with the performance of our general duties with respect to accounting under section 20 of the act.

### BUREAU OF STATISTICS

This bureau received 2,273 annual reports for the calendar year 1925, classified as follows:

	Number of annual reports
Steam-railway companies:	
Class I-----	182
Class II-----	299
Class III-----	358
Switching and terminal-----	229
Lessor-----	452
Total -----	1,520
Electric railways-----	255
Sleeping-car companies (Pullman)-----	1
Express companies-----	2
Telephone companies-----	293
Telegraph and cable companies-----	14
Water lines-----	151
Pipe lines-----	37
Grand total -----	2,273

In addition to the above, brief reports in circular form are filed by the very small railway companies. Class I steam railways, annual revenues above \$1,000,000, also file monthly reports of revenues and expenses, operating statistics, wage statistics, fuel consumed by road locomotives, railway accidents, and various other periodical and special reports. The large telephone companies, those having annual revenues amounting to \$250,000 and over, of which there were 68 on December 31, 1925, file monthly reports of revenues and expenses. From such reports statistical statements are regularly prepared for our use and are published. The principal publication prepared by the bureau of statistics is the "Annual Report on the Statistics of Railways in the United States," which also contains statistics based on the monthly and quarterly reports of railways, as well as selected data relating to other common carriers subject to the interstate commerce act.

The "Preliminary Statement of Capitalization and Income," begun with 1924, has been continued. The issue for the calendar year 1925 appeared April 15, 1926. The separate annual publication entitled "Freight Commodity Statistics—Class I Steam Railways in the United States," also begun with 1924, has been continued for 1925.

In accordance with a Senate Resolution of July 1, 1926, we have discontinued the monthly reports to Congress of the condition of railroad equipment.

In Appendix C to this report will be found the statistical summaries of railway data such as usually form a part of our reports.

The number of passengers carried by steam railways in the United States in the calendar year 1925 was 902,000,000. Compared with the year 1924, when the number was 950,000,000, this was a reduction of 5.05 per cent. The largest number of passengers ever so carried in any calendar year was in 1920, when the number was 1,270,000,000. The number carried in 1925, therefore, was 28.98 per cent less than in the record year. In connection with the foregoing data concerning total passenger traffic it may be stated that the Pullman service has been less adversely affected. The number of Pullman passengers was 39,200,000 in 1920 and 35,500,000 in 1925, a decline of 9.44 per cent. In the first six months of 1926 the number of passengers carried on Class I steam railways fell below that for the corresponding period of 1925 by 2.85 per cent and was 9.42 per cent below the corresponding figure for 1924.

The volume of passenger traffic expressed in the number of passengers carried 1 mile in 1925, was 36,169,000,000, compared with 36,368,000,000 in 1924, a reduction of 0.55 per cent. There has been a gradual increase in the average journey per passenger since 1915, which in that year was 32.95 miles; in 1917 it was 36.13 miles; in 1920, 37.30 miles; in 1923, 37.97 miles; and in 1925, 40.09. The great increase in travel by automobile, especially for short distances, doubtless accounts for this to a large extent.

In the year 1923 the highest record of freight traffic volume for any one year thus far was made. In that year 1,387,754,966 tons of freight originated on steam railways in the United States. In the year 1924 the corresponding record shows a decrease of over 100,000,000 tons, or 7.23 per cent. The amount for the latter year is 1,287,412,983 tons. In 1925, 1,350,570,542 tons of revenue freight originated on steam railways in the United States. This is a decrease of 37,184,424 tons, or 2.68 per cent, from the peak year 1923 and an increase of 63,157,559 tons, or 4.91 per cent, over the year 1924.

Measured in ton-miles, however, the traffic of 1925 exceeded that of 1923 slightly, the figures being 417,454,000,000 in 1925, 391,945,000,000 in 1924, and 416,256,000,000 in 1923. In the first six months of 1926 the number of tons of freight carried on Class I steam railways exceeded that for the corresponding period of 1925 by 5.32 per cent and 1924 by 9.79 per cent, but was less than the tonnage carried during the corresponding period of 1923 by 0.58 per cent.

The average length of haul of a ton of freight in 1925, treating all of the roads of the United States as one system, was 309.09 miles, as against 299.94 miles in 1923, and 308.60 miles in 1919. The first-mentioned average is the highest on record. For the fiscal year 1915 the average haul was only 270.69 miles.

Among the items of greatest significance bearing upon the efficiency of operation of steam railways, as far as such may be disclosed by statistics of locomotive, car, and train performance in connection with traffic density, are those shown in the two tables which immediately follow:

*Comparison of selected items of freight service operating averages Class I steam railways,<sup>1</sup> years 1920-1925, United States*

Twelve months ended with December	Net ton-miles per mile of road per day	Trainload		Gross ton-miles per train-hour (excluding locomotives)	Net ton-miles per car-day	Average car-load	Car-miles per car-day	Per cent loaded of total	Cars per train	Locomotive-miles per locomotive-day
		Gross (excluding locomotives)	Net							
1920-----	5,280	1,443	708	14,877	498	29.3	25.1	67.9	36.6	62.5
1921-----	4,052	1,435	651	16,555	389	27.6	22.4	63.0	38.4	49.5
1922-----	4,392	1,464	676	16,188	424	26.9	23.5	67.2	38.4	52.0
1923-----	5,346	1,539	713	16,764	510	27.9	27.8	65.7	39.9	60.3
1924-----	5,004	1,588	715	18,257	471	27.0	26.8	65.1	41.7	55.3
1925-----	5,313	1,670	744	19,679	493	27.0	28.3	64.5	43.8	58.2

<sup>1</sup> Annual operating revenues above \$1,000,000.

*Comparison of selected items of freight service operating averages, Class I steam railways, first half, years 1920 to 1926, United States*

Six months ended with June—	Net ton-miles per mile of road per day	Trainload		Gross ton-miles per train-hour (excluding locomotives)	Net ton-miles per car-day	Average car-load	Car-miles per car-day	Per cent loaded of total	Cars per train	Locomotive-miles per locomotive-day
		Gross (excluding locomotives)	Net							
1920-----	4,991	1,400	691	14,480	465	28.4	23.1	70.7	35.4	63.3
1921-----	3,880	1,408	640	16,155	374	28.0	21.5	62.0	37.8	48.4
1922-----	4,018	1,445	651	16,871	389	26.4	22.6	65.1	38.8	49.4
1923-----	5,311	1,507	709	16,072	508	28.1	27.1	66.5	38.9	60.6
1924-----	4,796	1,542	694	17,615	454	26.8	26.0	65.3	40.7	54.6
1925-----	4,993	1,629	727	19,282	466	26.8	26.8	64.6	42.9	55.4
1926-----	5,330	1,686	743	20,196	499	26.9	29.1	63.8	44.3	59.7

It will be noted that for the first six months of 1926, the figures showing the trainload, both gross and net, the gross ton-miles per train-hour, the car-miles per car-day, and the number of cars per train are larger than those for the corresponding period and items for any other year in the table, but this can not be said of the carload, the percentage of loaded cars, or the locomotive-miles per locomotive-day.



The amount of fuel consumed by road locomotives on Class I steam railways in the combined passenger and freight services in 1925, including an equated amount of fuel oil, was the equivalent of 111,266,156 net tons of coal. The corresponding figure for 1924 was 111,829,648 net tons, a reduction in 1925 compared with 1924 of 0.50 per cent. The total number of tons of coal, including the equated tonnage of fuel oil consumed by road locomotives in freight service alone in 1925 was 81,323,970 and in 1924, 81,024,424, an increase of 0.37 per cent, compared with an increase in freight traffic volume, expressed in ton-miles of 6.50 per cent. The number of pounds of coal burned in producing 1,000 gross-ton-miles in freight service was reduced from 149 pounds in 1924 to 140 pounds in 1925, or 6.04 per cent. In the passenger-train service the reduction was from 30,805,224 net tons in 1924 to 29,942,186 net tons in 1925, or 2.80 per cent, against a reduction of 0.44 per cent in the volume of passenger traffic, expressed in terms of passenger-miles.

The average cost to the railroads of coal, invoice plus freight charges on foreign lines, in 1924 was \$3.03 per ton; in 1925 it was \$2.72, a reduction of 10.23 per cent. On the other hand, the cost per gallon of fuel oil increased 10.71 per cent, or from \$0.028 in 1924 to \$0.031 in 1925. In comparing these costs with market prices it should be borne in mind that they include freight paid by the purchasing roads for the hauling done by other roads from mines or points of production to distributing points.

The average number of persons employed by Class I steam railways, excluding switching and terminal companies, during the year 1925 was 1,747,207, and the total compensation amounted to \$2,860,607,183. Of this, \$2,645,842,686 was chargeable to operating expenses and constituted 58.3 per cent of such expenses. The total number of employees of such roads at the middle of July, 1926, was 1,833,158. For further data relative to employees see Appendix C.

The statements tabulated from monthly reports of railway accidents, submitted by carriers in compliance with the accident reports act of May 6, 1910, indicate that in the year 1925 there were 6,766 persons killed and 137,435 injured in reportable accidents of all kinds on steam railways. These figures include 402 fatal and 89,442 nonfatal injuries resulting from nontrain and industrial railway accidents. The number of locomotive-miles run in 1925 was 1.5 per cent more than in 1924, while the number of casualties resulting from train operation was 0.42 per cent less. Fatalities in grade-crossing accidents in 1925 were 2,206, or 57 more than in the previous year. There were, however, 6,555 nonfatal injuries in accidents of this kind or 30 more than in 1924. In 1925 automobiles were involved in accidents that caused 88 per cent of the total casualties



at crossings. Automobile registration for 1925, 19,954,347, was 2,362,366 more than in 1924.

While the major part of the service of the bureau of statistics necessarily has to do with the steam railways, reference may be made here to some of the most important data of the various other common carriers subject to our jurisdiction. The electric railways reporting to us operated 14,234 miles of road in 1924, the latest year for which detailed compilations have been completed; their operating revenues amounted to \$211,378,199, their operating income to \$48,162,431, and their net income at \$9,177,533.

The following table relates to the operations of the American Railway Express Co. and the Southeastern Express Co.:

*Express companies, 1921-1925*

Year	Number of companies reporting	Operating revenues	Operating expenses	Operating income	Net income
1921.....	2	\$187,677,648	\$184,984,745	\$544,445	\$2,355,921
1922.....	2	156,383,471	152,892,273	1,157,372	2,843,719
1923.....	2	161,540,691	158,354,421	933,173	2,582,594
1924.....	2	154,905,778	151,549,341	1,096,798	2,351,795
1925.....	2	153,955,816	150,518,872	1,262,720	2,270,563

Telephone companies having total operating revenues of \$250,000 or more per annum have been receiving steadily increased revenues and income in recent years, as the following figures indicate:

*Large telephone companies, 1921-1925*

Year	Number of telephone stations	Operating revenues	Operating expenses	Operating income
1921.....	9,826,763	\$541,196,417	\$394,842,690	\$106,807,003
1922.....	10,481,233	591,530,687	418,161,584	125,989,641
1923.....	11,385,662	648,447,471	459,262,911	136,705,068
1924.....	12,217,063	705,177,348	496,219,135	150,707,828
1925.....	13,008,315	791,507,221	538,570,181	186,425,790

Miles of wire operated, operating revenues, and income of telegraph and cable companies reporting were as follows:

*Telegraph and cable companies, 1921-1925*

Year	Total miles of wire	Operating revenues	Operating income	Net income
1921.....	1,858,173	\$136,663,348	\$18,667,408	\$13,310,975
1922.....	1,874,270	138,190,229	22,894,272	18,138,344
1923.....	1,893,869	144,610,458	21,025,039	16,656,377
1924.....	1,945,943	146,175,685	20,229,428	15,804,902
1925.....	2,075,332	162,693,007	23,203,634	18,854,118

The results of the operations of carriers by water required to render reports to us are shown below :

*Carriers by water, 1921-1925*

Year	Operating revenues	Operating expenses	Operating income	Net income
1921.....	\$96, 412, 665	\$88, 059, 848	\$6, 347, 154	\$2, 685, 558
1922.....	103, 701, 833	90, 065, 556	12, 500, 722	9, 124, 647
1923.....	119, 445, 729	102, 219, 474	12, 623, 622	9, 127, 979
1924.....	121, 053, 428	108, 345, 948	10, 606, 881	6, 462, 223
1925.....	133, 520, 302	116, 553, 432	14, 796, 572	12, 424, 954

The following table shows in brief the results of operations of such pipe lines as came within our jurisdiction and were required to make reports of their activities for the years named :

*Pipe line companies, 1921-1925*

Year	Miles of line operated	Pipe line operating revenues	Pipe line operating expenses	Pipe line operating income	Net income
1921.....	55, 260	\$115, 949, 610	\$62, 369, 908	\$25, 529, 962	\$34, 400, 283
1922.....	57, 349	128, 058, 803	64, 539, 459	52, 719, 665	58, 567, 686
1923.....	64, 760	131, 212, 582	69, 234, 319	52, 678, 246	62, 639, 224
1924.....	68, 185	146, 921, 073	74, 655, 544	63, 176, 232	72, 233, 975
1925.....	70, 009	164, 644, 740	80, 231, 636	70, 965, 545	88, 495, 026

For convenient reference there is inserted here a list of the publications prepared by the bureau of statistics which are now regularly issued :

ANNUAL REPORTS

- Preliminary Report of Capitalization and Income, Class I Steam Railways.
- Freight Commodity Statistics, Class I Steam Railways.
- Comparative Statement of Operating Averages, Class I Steam Railways.
- Wage Statistics, Class I Steam Railways (including 15 switching and terminal companies).
- Preliminary Abstract of Statistics of Common Carriers.
- Text of the Annual Report on the Statistics of Railways in the United States.
- Annual Report on the Statistics of Railways in the United States, including also selected items from periodical reports of other classes of common carriers.
- Accident Bulletin—Steam Railways.
- Selected Items from the Annual Reports of Carriers by Water.
- Selected Items from the Annual Reports of Telegraph and Cable Companies.
- Selected Items from the Annual Reports of Pipe Line Companies.
- Selected Items from the Annual Reports of Electric Railways.
- Selected Items from the Annual Reports of Telephone Companies.

QUARTERLY REPORTS

- Summary of Freight Commodity Statistics of Class I Steam Railways for the Quarter.
- Summary of Accidents Reported by Steam Railways.

## MONTHLY REPORTS

Operating Revenues and Operating Expenses, Class I Steam Railways.  
 Operating Revenues and Operating Expenses of Large Steam Roads—Selected  
 Items for Roads with Annual Operating Revenues above \$25,000,000.  
 Operating Statistics of Large Steam Roads—Selected Items for Roads with  
 Annual Operating Revenues above \$25,000,000.  
 Freight and Passenger Service Operating Statistics of Class I Steam Railways  
 in the United States.  
 Fuel for Road Locomotives in Freight and Passenger Train Service (Charged  
 to Operating Expenses), Class I Steam Railways in the United States.  
 Wage Statistics—Class I Steam Railways.  
 Revenue Traffic Statistics of Class I Steam Railways.  
 Summary of Monthly Reports of Large Telephone Companies.  
 Summary of Accidents Reported by Steam Railways.

## FORMAL DOCKET

The formal complaints filed numbered 1,524 of which 1,314 were original complaints and 210 subnumbers, an increase of 19 as compared with the previous period. We decided 1,035 and 292 have been dismissed by stipulation or on complainants' request, making a total of 1,327 disposed of, as compared with 1,177 during the previous period.

We conducted 1,584 hearings and took approximately 302,875 pages of testimony, as compared with 1,502 hearings and 246,069 pages of testimony during the preceding period.

The following statement shows certain facts with respect to the condition of our docket as of October 31 of the years indicated:

	1923	1924	1925	1926
Formal complaints filed.....	936	1, 076	1, 210	1, 314
Subnumbers.....	224	267	295	210
I. & S. cases instituted.....	270	316	275	268
Cases under submission at end of period:				
Regular docket.....	604	466	359	462
Shortened procedure.....	16	30	56	136
Cases disposed of including subnumbers.....	1, 273	1, 464	1, 340	1, 499

## INVESTIGATIONS

Reports have been made and published in the following investigations, instituted on our own motion:

Construction and repair of railway equipment. 104 I. C. C. 352; 107 I. C. C. 721.

Interstate class rates in southern territory; between that territory and the Mississippi River crossings, Ohio River crossings, and points beyond in Illinois, Buffalo-Pittsburgh, and central territories; and between southern territory and Virginia cities and eastern points beyond in trunk-line and New England territories. 109 I. C. C. 300; 113 I. C. C. 200.



In the matter of rates, charges, classifications, regulations and practices governing the transportation of anthracite coal. 104 I. C. C. 341; 104 I. C. C. 514.

Rates, regulations, and practices of Peoria & Pekin Union Railway Co. and connections at Peoria, Ill., and nearby points. 115 I. C. C. 469; 118 I. C. C. 127.

History, financial operations, accounts, and practices of the Western Pacific Railway Co., the Denver & Rio Grande Railroad Co., the Western Pacific Railroad Co., and the Denver & Rio Grande Western Railroad Co. 113 I. C. C. 75.

Fertilizers and fertilizer materials between southern points. 113 I. C. C. 389.

Drayage absorptions by Southwest Missouri Railroad. 113 I. C. C. 179.

History, management, financial and other operations, accounts, and practices of the Kansas, Oklahoma & Gulf Railway Co. 111 I. C. C. 374.

In the matter of application of Northern Pacific Railway Co. and Minneapolis, St. Paul & Sault Ste. Marie Railway Co. for authority to establish joint passenger-train service between Minneapolis, St. Paul, and Duluth, Minn., and Superior, Wis., and to divide earnings therefrom. 107 I. C. C. 493; 112 I. C. C. 403.

In re train service on the line of Northern Pacific Railway Co. extending between Beach, N. Dak., and Ollie, Mont. 112 I. C. C. 191.

Revenues in western district and rate structure investigation (Hoch-Smith resolution). 113 I. C. C. 3. For a more detailed statement of these investigations see chapter entitled "Hoch-Smith resolution."

Other investigations are pending, some of the more important of which are:

Charges of common carriers subject to the interstate commerce act for wharfage, handling, storage, and other accessorial services at south Atlantic and Gulf ports.

Lawfulness and propriety of rates, regulations, and practices in connection with the application of interstate domestic rates and export rates on cotton from points in the States of Oklahoma, Arkansas, Texas, and Louisiana, on and west of the west bank of the Mississippi River, to Gulf ports.

In the matter of rates on wool and mohair from Pacific coast and intermediate territory to various points.

Propriety of the rates on sugar, in carloads, from New Orleans and other producing points in Louisiana, Savannah, Ga., Boston, Mass., New York, N. Y., Philadelphia, Pa., Baltimore, Md., and other producing and distributing points on the Atlantic seaboard.



Consolidation of the railway properties in the United States into a limited number of systems.

In the matter of efficient, economical, and joint use of terminals of common carriers in the port of New York district and the cost to carriers of operating the terminals in performing common-carrier services.

Switching facilities, practices, regulations, rates, and charges at Seattle, Wash.

Concerning the classes of depreciable property of telephone companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Concerning the classes of depreciable property of steam railroad companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

In the matter of divisions of freight rates in western and mountain-Pacific territories.

Concerning the classes of depreciable property of carriers by water and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Interstate class rates within official classification territory.

In the matter of divisions of freight rates in the Eastern Group excluding New England.

History, management, financial and other operations, accounts, and practices of the Chicago, Milwaukee & St. Paul Railway Co.

In the matter of the use of private passenger-train cars.

Rules for car-hire settlement.

In re refrigeration charges on fruits, vegetables, berries, and melons from the south.

Rates on bituminous coal from points in Illinois to East St. Louis, Ill., switching district.

Transportation of strawberries in carload lots from Florida, Georgia, Alabama, North Carolina, South Carolina, and Virginia to points in official classification territory.

Motor-bus and motor-truck operation.

Investigation of rates on furniture.

Rates on petroleum and petroleum products within the territory on and east of the Mississippi River and south of the Ohio River and east of the Indiana-Illinois State line, and from points without to points within said territory.

In re transportation and car service on the line of the Kansas, Oklahoma & Gulf Railway Co. running out of Bromide, Okla..

## INTRASTATE RATE CASES

Reports have been made and published in the following proceedings instituted by us under section 13 of the act:

In the matter of—

Rates, fares, and charges applicable between points in the State of Indiana. 113 I. C. C. 531.

Rates on fertilizers and fertilizer materials within the State of South Carolina. 113 I. C. C. 389.

Rates on fertilizers and fertilizer materials within the State of Alabama. 113 I. C. C. 389.

Rates on fertilizers and fertilizer materials within the State of Georgia. 113 I. C. C. 389.

No reports have been made during the year in the following investigations under that section:

In the matter of—

Intrastate rates within the State of Illinois.

Rates for berths, drawing rooms, compartments, and seats in sleeping and parlor cars of the Pullman Co. in the State of Louisiana.

Intrastate class rates in State of Mississippi.

Intrastate rates on bituminous coal within the State of Indiana.

Rates on powder and high explosives, in carloads, within the State of Arizona.

Rates on classes and commodities between points within the State of Texas.

Intrastate class rates within the State of South Dakota.

Rates on chert, clay, sand, and gravel within the State of Georgia.

Rates and minimum weights on salt within the State of Ohio.

Concerning the adequacy of transportation service in the State of New Mexico.

Rates on pig iron and articles taking the same rates within the State of Ohio.

Rates on iron and steel articles, in carloads, within the State of Ohio.

Rates on common brick between points within the State of North Carolina.

Rates on common brick between points within the State of Georgia.

Rates on common brick between points within the State of Alabama.

## HOCH-SMITH RESOLUTION

No. 17000, *Rate Structure Investigation*, is a general investigation into the rate structure of the country instituted by us, upon our own motion, pursuant to joint resolution of the Congress approved January 30, 1925, usually referred to as the Hoch-Smith resolution

(Public Resolution No. 46, 68th Cong.). Subsequent to the institution of that investigation the principal common carriers by steam railroad in the western district, comprising the western group and the Mountain-Pacific group as defined in *Increased Rates, 1920*, 58 I. C. C. 220, filed with us petitions seeking an increase in revenues, Ex parte 87, *Revenues in Western District*. In the light of the resolution and those petitions, hearings were held throughout the West to determine what if any reductions might lawfully be effected in the rates on products of agriculture, including livestock, affected by depressions; and whether any rates, fares, or charges, either on particular classes and kinds of commodities or classes of traffic, in particular sections or between particular localities in the western district, or otherwise, might lawfully be authorized or required to be increased, and, if so, to what extent, in order to compensate for such rate reductions, if any, as might be found proper, or in order to effect such increases in the revenues of western carriers as might be found proper.

In *Reduced Rates, 1922*, 68 I. C. C. 676, 734, we found that a fair return upon the aggregate value of the railway property of the carriers defined in section 15a of the interstate commerce act, determined as therein provided, would be 5.75 per cent of such aggregate property value as a uniform percentage for all rate groups or territories designated by us. In Ex parte 87 and No. 17000 the carriers stated that in 1924 the class I carriers in the western district failed to earn 5.75 per cent by an amount which they estimated would require an increase of approximately 11 per cent in freight revenue. At the hearing they did not seek that per cent of increase but contended that the situation of the western carriers had become so acute that an emergency existed which impelled them to seek an increase in freight rates of 5 per cent, subject to certain modifications and exceptions. In *Revenues in Western District*, 113 I. C. C. 3, we found that no such financial emergency existed as would warrant the blanket increases in freight rates sought and the petitions of the western carriers were denied.

Although Ex parte 87 and No. 17000 were heard on one record, the evidence was directed largely to the former. The record was inadequate to enable us to readjust the rates on products of agriculture, or to determine what, in the light of the resolution, would constitute reasonable and properly related rates in the different sections of the western district. But we stated in our report that in proposing rate changes, either for the purpose of improving their earnings or for the purpose of rectifying inequalities in existing rate structures, carriers should propose no advances in the rates on products of agriculture, including livestock, except where particular rates on such products may need adjustment to remove incon-



sistencies, or where it can be shown that the product in question is not affected by depression. With No. 17000 has been consolidated the record in No. 15686, *American National Live Stock Association, et al. v. Atchison, Topeka & Santa Fe Railway Company, et al.*, in which the level of the rates on livestock in the western district is assailed; and the consolidated record is now being considered by us in connection with those rates.

In No. 17000 counsel for the farm interests asked that rates on agricultural products generally be reduced to substantially what they were on June 24, 1918. Others directed our attention to alleged high car-mile earnings on particular agricultural products such as wheat. The western carriers contended that such reductions in their revenue from a large part of their traffic would imperil the maintenance of adequate transportation service, and threaten the solvency of some railroads. None of the parties presented any definite plan for compensating increases in rates on other traffic.

By a supplemental petition filed November 19, 1925, and docketed as Ex parte 87 (Sub-No. 1), *Class Rates Within Western Trunk Line Territory*, an increase in revenue is sought by means of an upward revision and readjustment of the class rates in western trunk-line territory. In addition numerous formal complaints have been filed with us by various interests in western trunk-line territory assailing, among others, class rates between certain points within that territory and between certain points in that territory and other portions of the United States. Hearings will soon begin in Ex parte 87 (Sub-No. 1), in those complaint cases, and with respect to so much of the general investigation instituted pursuant to the resolution as embraces class rates within western trunk-line territory<sup>1</sup> and between points in that territory and points in official and southern territories and in the State of Illinois, as well as class rates between points in Wyoming, Casper, and Sheridan and east thereof, on the one hand, and points on and east of the Missouri River, on the other. The class-rate features of No. 17000 coming within the territory above outlined have been entitled No. 17000, *Rate Structure Investigation, Part 2, Western Trunk Line Class Rates*.

The Hoch-Smith resolution itself directs that our investigation shall be thorough and shall cover the entire rate structure of common carriers subject to the interstate commerce act. Such an investigation must inevitably consume a long period of time. In fact, it must be continuous. In conducting that investigation it has become

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<sup>1</sup> For the purpose of that inquiry western trunk-line territory will be understood to include the northern peninsula of Michigan, Wisconsin, Minnesota, Iowa, that part of Missouri on and north of the Missouri River, Kansas, Nebraska, North Dakota, South Dakota, and that portion of Colorado and Wyoming on and east of a line running through Trinidad, Pueblo, Colorado Springs, and Denver to Cheyenne, and thence over the Union Pacific to the Nebraska State line.



necessary to obtain information concerning the rate structures, and the origins, destinations, and trends of movement of traffic, which is not now before us in an available form. Accordingly, through questionnaires addressed to the carriers, we are seeking that information in relation to each of the following commodities: Cattle, gasoline (except casing-head), automobiles, bar iron, wheat, potatoes, hay, lumber (other than hardwood), and lumber (hardwood). These are some of the commodities which may be said to be controlling from a rate standpoint, in that the rates thereon either control or exert great influence upon the rates on other commodities which compete therewith, which are manufactured therefrom, or which are varied forms of the controlling commodity, etc. For example, and speaking of rates thereon in general, lumber is a controlling commodity, and the rates on timbers, ties, piling, poles, and many articles manufactured from lumber are largely influenced or completely controlled by the rates on lumber. Another example: The rates on wheat control or exert great influence on rates on other grains and on grain products. Returns to these questionnaires are not yet due. They will be analyzed with care. As soon thereafter as is practicable it is contemplated to inquire into the rates on other commodities.

We have in contemplation, as a portion of the investigation instituted pursuant to the resolution, a comprehensive inquiry into rates on grain and grain products.

#### CLASS-RATE READJUSTMENTS

An important feature of our work upon the railroad freight rate structure has been the comprehensive investigations of class rates which have been carried on during the past few years. In No. 13494, *Southern Class Rate Investigation*, instituted upon our own motion, we considered all the interstate class rates within southern classification territory and most of the class rates between that territory and official classification territory on the north, including in the case of the latter the routes partly by water as well as the all-rail routes. The first decision in this proceeding, following prolonged hearings and the taking of an immense amount of evidence, was reported in 100 I. C. C. 513. Thereafter objections to our findings, submitted by both carriers and shippers, were considered and the findings were modified in a supplemental report, 109 I. C. C. 300.

It was recognized that in a proceeding covering so much ground and such a multitude of rates, unforeseen difficulties would probably develop in the preparation of the new rates for tariff publication, which would require minor departures from the findings and, perhaps, certain modifications of a more important character. For

this reason, in order that some degree of flexibility might be possible in the application of the findings, no order was entered pending advice from the carriers as to whether they were willing voluntarily to proceed with the work of translating the findings into tariff form. After consideration the carriers agreed to proceed in good faith and as rapidly as possible, reserving the right to ask for certain modifications of the findings if the need should develop. The carriers have had a special force of about 140 men engaged in this work since the middle of the year and most encouraging progress has been made.

It now seems assured that as a result of this investigation a class-rate structure of great uniformity and simplicity will take the place at a comparatively early date of the admittedly confused and chaotic structure which now exists within southern territory and between that territory and official territory. In this investigation we have had the helpful and effective cooperation of the State commissions of southern territory, and it is hoped that the new rate structure may without undue delay become effective intrastate as well as interstate.

In No. 15879, *Eastern Class Rate Investigation*, a similar investigation, on our own motion, of all the interstate class rates within official territory is under way. Hearings have been completed for the present and briefs have been submitted. The next step will be the submission of a proposed report, and that will be used as the basis of a comprehensive traffic test in order that the revenue effect of what is proposed may accurately be estimated. Thereafter oral argument will be had, the final step prior to our ultimate decision.

In a considerable portion of the southwest class rates have already been revised and commodity rates have been readjusted on approximately 40 groups of commodities, but the whole class and commodity rate situation, other than on so-called basic commodities, is before us for further review in *Corporation Commission of Oklahoma v. A. & R. R. Co.*, No. 15535, and numerous cases consolidated therewith. It is expected that our findings in these cases will be issued not long after this report is submitted.

In western trunk-line territory committees representing carriers and shippers have for some time been engaged in an attempt to reach an agreement upon a comprehensive revision of the class rates. Much progress has been made and work has been done which will in any event greatly simplify any action which may be necessary upon our part. But it seems unlikely that complete agreement can be reached, and for that reason No. 17000, *Rate Structure Investigation*, has been set down for hearing so far as the class rates, both interstate and intrastate, within that territory are concerned. Hearings are scheduled in January next, and cooperation by the State commissions in these hearings has been invited and is anticipated.

These various proceedings, it will be seen, cover the class-rate structure in a great part of the entire country. It is our hope that they will result in a structure simpler and more consistent than that which now exists and that they will pave the way for revisions of commodity rates. We also hope that they will have the effect of materially reducing the number of rate complaints upon which we must act. A prolific source of such complaints in the past has been the apparent discriminations between competing shippers and localities often created by absence in the rate structure of anything resembling uniformity and design. It is our further expectation that the groundwork so laid will facilitate the consideration of the entire rate structure, both class and commodity, in the light of the Hoch-Smith resolution with a view to establishing proper relations in rate levels between the various articles of commerce.

#### MOTOR-BUS AND MOTOR-TRUCK OPERATION, DOCKET NO. 18300

On May 21, 1926, we entered upon an investigation on our own motion into and concerning the general question of the operation of motor busses and motor trucks by, or in connection or competition with, common carriers subject to the interstate commerce act. The scope of the investigation includes the legality and propriety of the arrangements under which motor busses and trucks are operated by or in connection with carriers subject to the act; the rates, fares, and charges for such services, and the provisions for filing schedules thereof; and the extent to which the traffic and revenues of carriers subject to the act are affected by the operation of motor busses and trucks.

At present there is no Federal regulation of transportation of persons by motor bus or of property by motor truck except in so far as the use of motor vehicles in terminals by carriers subject to the interstate commerce act may be incidental to performance of the carriers' service of transportation under that act. In 38 States and the District of Columbia there is some form of regulation of common-carrier motor vehicles. In 10 States there is practically no regulation of these agencies.

Prior to decisions of the Supreme Court of the United States<sup>2</sup> on March 2, 1925, holding in effect that State regulatory bodies could not regulate motor busses or motor trucks engaged in interstate operation where such regulation was not primarily with a view to safety or to conservation of highways, State regulatory bodies had generally assumed control over them, and their operators were required to conform to the laws and regulations of the various States in which they were operated. Since these decisions there has been

<sup>2</sup> *Buck v. Kykendall*, 267 U. S. 307; *Bush Co. v. Maloy*, 267 U. S. 317.



no regulation exercised over interstate commerce by motor bus or motor truck. Bills providing for the regulation of interstate commerce by motor bus and motor truck are now pending before Congress and hearings have been held thereon. A number of railroads have filed applications with us for permission to abandon portions of their lines, alleging as one of the reasons loss of passenger and freight traffic because of motor-bus or motor-truck competition. Several railroads have entered to some extent into the field of motor transportation as a subsidiary to their rail operations. The question of the legality and propriety of arrangements under which motor busses or motor trucks are operated by or in connection with carriers subject to the act has risen in formal cases before us, and otherwise. These matters, as well as the fact that motor transport must be recognized as an important and rapidly growing factor in the Nation's transportation system, prompted us to institute the present investigation in order that we may be in possession of needed information regarding motor bus and motor truck operations and may be able to transmit to Congress such information and data on this subject as may be considered of value in the determination of questions connected with the regulation of commerce, together with our recommendations thereon, all as provided in the act.

All common carriers subject to the interstate commerce act were made respondents to the proceedings and were required to furnish to us, upon oath, certain information called for in a comprehensive questionnaire. The returns to these questionnaires are being analyzed and tabulated and much valuable information will be available from this source.

The proceeding was also assigned for hearing at 13 points in various parts of the country. From July 27 to October 27, 1926, hearings were held at Chicago, Ill., St. Paul, Minn., Portland, Oreg., San Francisco, Calif., Los Angeles, Calif., Denver, Colo., Detroit, Mich., Boston, Mass., New York, N. Y., Asheville, N. C., Dallas, Tex., Kansas City, Mo., and Washington, D. C. In the course of these hearings about 5,100 pages of testimony was given by over 400 witnesses. The evidence, including 403 exhibits, largely of a statistical nature, covers practically every phase of transportation by motor bus and motor truck throughout the United States. The witnesses included Federal, State, and municipal officials, railway executives, operators of motor bus and motor trucks, farmers, livestock men, manufacturers, shippers, representatives of State regulatory bodies, motor-bus and motor-truck associations, chambers of commerce, traffic associations, farm bureaus, highway commissions, and persons engaged in the automotive industry.

When we instituted this investigation last May it was thought possible that we might submit a report based thereon to Congress



at the session convening December 6, 1926. The size of the record, due to the scope of the inquiry and the numerous and diverse interests involved, and the fact that parties who appeared have been allowed until November 15 in which to file briefs, make it impossible for us to report at that time. Analysis of the record is in progress.

#### BUREAU OF INFORMAL CASES

The number of informal complaints received was 7,840, an increase of 969. The director general, as agent, and the carriers filed 8,076 special docket applications for authority to refund amounts collected under the published rates, admitted by them to have been unreasonable, an increase of 1,044. Orders authorizing refund were entered in 7,650 cases, an increase of 1,450, and reparation thereon was awarded in the sum of \$1,716,687.89. In addition, 670 cases were dismissed or disposed of without orders. The bureau also handled approximately 45,000 letters. Many of these had the characteristics of informal complaints, although not so classified. Others sought general information and informal rulings upon the rights and obligations of the public and common carriers under existing statutes.

#### BUREAU OF TRAFFIC

In addition to the activities of which a detailed report appears below, the principal functions of this bureau are to act in an advisory capacity in connection with the disposition of formal cases, especially those involving general policies and the more important and extensive rate adjustments; to settle through informal negotiations between shippers and carriers as many controversies as possible without litigation; and to handle administrative matters connected directly with rates and tariffs.

The preparation, printing, and filing of tariffs containing the applicable rates and charges constitute one important item of expense to carriers. Manifestly every reduction in such expenses tends to increase net revenue. The posting of tariffs at stations from which rates therein contained apply is required by the act, subject to modification by us. In order to relieve carriers of all unnecessary expense in this connection, a number of orders have been entered waiving the posting requirements of law in cases where it appears that the spirit of the law will not be contravened and where the interests of the public will not be adversely affected. In each such case the relief granted has been limited to instances where no public necessity appears to exist for the posting of the tariffs and each grant has been accompanied by the condition that posting be resumed upon request from any shipper without the necessity of appeal to us

and without his having to give reasons for such request. Up to the present time none of the numerous modifications authorized has resulted in complaint, but the relief granted has brought about material saving to the carriers.

Continued progress has been made during the past year toward simplification of the rate structure of the country.

In addition to the general class rate investigations referred to under the heading "Class rate readjustments," we instituted, as stated in our last report, an investigation into rates on fertilizers and fertilizer materials throughout the South. That proceeding has been concluded and our report and order therein, 113 I. C. C. 389, require a comprehensive readjustment of those rates to be made. In the Southwest the brick rate structure has recently been revised as the result of our report and order in *Southwestern Brick cases*, 107 I. C. C. 681. Since our last report investigations have also been instituted into the rates on petroleum from all points to destinations east of the Mississippi River and the Illinois-Indiana state line, and into the rates on furniture throughout the country. Hearings are now being held in the petroleum investigation. The furniture investigation has not yet been assigned for hearing.

#### SECTION OF TARIFFS

There were filed 84,748 tariff publications containing changes in freight, express, and pipe-line rates, passenger fares, and freight classification ratings. In addition thereto, 968 publications were received for filing but were rejected for failure to give the notice required by the statute. Powers of attorney and certificates of concurrence were also filed aggregating 42,833. Applications received seeking special permission to establish rates or fares on less than statutory notice or waiver of certain of our tariff-publishing rules numbered 5,216. Specific orders were entered granting 4,312 and denying 575 of these applications. The remainder were disposed of otherwise. Correspondence relating to tariff construction in accordance with our rules and regulations promulgated under section 6 of the act consisted of 39,940 letters received and 29,630 letters written. For our own use, as well as for the use of other branches of the Government and of shippers, 8,336 rate memoranda were prepared. Our duplicate tariff file has been maintained for the use of the public.

In our last report we recommended that we be relieved of the duty imposed by section 25 of the act of preparing and publishing a monthly schedule of sailings of steam vessels registered under the laws of the United States and intended to load general cargo at points in the United States for foreign destinations. By Public Act

No. 141, Sixty-ninth Congress, known as the independent offices appropriation bill, which carries an appropriation for all of our printing and binding, the Congress provided that no part of the sum thus appropriated should be expended for printing these shipping lists. Accordingly, the publication of such shipping lists was discontinued on July 1, 1926.

#### SUSPENSIONS

Rate readjustments were protested and suspension asked in 643 instances, a decrease of 13 under last year. These protested adjustments, of which 83 represented reductions and 560 increases in rates, covered not only a large number of rate schedules but many thousands of rates.

The following action was taken on the requests for suspension:

Suspended .....	268
Refused to suspend.....	169
Schedules rejected, requests for suspension withdrawn, or protested schedules withdrawn.....	206
<b>Total.....</b>	<b>643</b>
Proceedings pending from previous year.....	111
New proceedings on suspension docket.....	268
<b>Total .....</b>	<b>379</b>

Of this number, 215 were disposed of, a decrease of 28 under last year, 139 after formal hearing and report and 76 through informal proceedings without report.

#### THE FOURTH SECTION

The number of applications received was 209. The number of orders entered in response to applications was 192, of which 158 were denial orders or orders granting permanent relief and 34 authorizing temporary relief.

Of the orders entered, 50 were in response to applications included among the 5,031 applications for authority to continue fourth-section departures existing at the time the amendment of June 18, 1910, became effective. One hundred and thirty-eight were in response to applications filed subsequently, and 4 were in response to both old and new applications.

Applications or portions thereof withdrawn after correspondence with carriers numbered 94; orders or portions thereof granting relief, 126; orders or portions thereof denying relief, 72; applications assigned in whole or in part for hearing in connection with other proceedings, 179; and 614 applications or portions thereof were heard in independent fourth-section proceedings.



The number of petitions for modification of orders was 66, of which 54 were granted and 12 were denied.

Substantial progress has been made in the disposition of applications filed under the 1910 amendment to the fourth section. Of the 927 which remained undisposed of in our file on October 31, 1925, hearings have been held on 793 or portions thereof. Of those heard, 19 have been disposed of in their entirety and 283 in part. Sixteen of these applications have been disposed of as a result of correspondence with the carriers. The number still awaiting final action is 889.

In our last two reports we referred to fourth-section application No. 12436 filed by the transcontinental carriers for authority to establish reduced rates on commodities from points adjacent to and west of the Illinois-Indiana State line to Pacific coast terminals without making corresponding reductions in rates to intermediate territory. The issues in that proceeding have been determined and fourth-section relief denied. *Commodity Rates to Pacific Coast Terminals*, 107 I. C. C. 421.

We also referred in our last report to applications for relief from the aggregate-of-intermediates provision of the fourth section. Since that time all applications of this character which were filed pursuant to the June 18, 1910, amendment to the act have been heard and the relief sought by 79 of them denied. The others are still pending.

#### CLASSIFICATION OF FREIGHT

In the latter part of 1925 we issued general orders which provided that where there were class-rate scales in effect which did not conform to the terms of section 4, and the nonconformity was protected by pending fourth-section applications or was specifically authorized by order, such protection or authorization would be extended to include new departures resulting from changes in the classification of commodities. These two orders gave carriers greater latitude under the fourth section in making classification changes, but the carriers felt that the relief granted was inadequate and thereafter filed an application to be completely relieved from observance of the fourth section in making classification changes. A hearing was held on this application and it is now before us for decision. Pending such decision we have granted the carriers temporary relief from the fourth section with respect to departures resulting from reductions in classification.

On account of the situation above described the changes in classification made effective during the past year were substantially fewer in number and represented a greater proportion of reductions as compared with the changes made during any of the preceding several



years. The increases numbered 9 in official, 24 in southern, and 15 in western classification, and the reductions 114 in official, 103 in southern, and 87 in western classification.

An order has recently been issued by the board of railroad commissioners for the State of Iowa authorizing the application to Iowa traffic, on and after January 1, 1927, of the current western classification in lieu of the Iowa classification. The current Iowa classification has been effective for more than 13 years and differs in many particulars from the western classification which is applicable to traffic in and between all of the States surrounding Iowa, except Illinois. In the latter State the Illinois classification is in force. With the elimination of the Iowa classification the western classification will become the governing classification on traffic, both State and interstate, in all of the territory west of the Mississippi River. The Nebraska classification, which was referred to in our thirty-sixth report as being applicable in that State, had only a limited application and has since been superseded by the western classification.

#### EXPRESS

As stated in our last report, new schedules of interstate class rates computed in accordance with our findings in *Express Rates*, 1922, 83 I. C. C. 606, and 89 I. C. C. 297, became effective March 1, 1925. Except for the purpose of correcting errors and omissions there has been practically no change in the express rate situation.

#### RELEASED RATES

At the time of our last report 9 applications for authority to establish rates dependent upon declared or agreed value under the terms of section 20 of the act were pending and 44 applications have since been received. Of this total of 53 applications, 33 have been granted, 1 has been denied, 14 have been withdrawn by the applicants, and 5 await disposition.

#### BUREAU OF LAW

On October 31, 1925, there were 31 cases involving our orders or requirements pending in the courts. During the year 14 cases have been instituted and 12 have been concluded, so that there are 33 cases now pending in the different courts. Of these, 11 are in the Supreme Court of the United States, 18 are in the district courts, 1 is in the Court of Appeals of the District of Columbia, and 3 are in the Supreme Court of the District of Columbia.

Seven cases were submitted for decision to the Supreme Court of the United States and decided. Five cases were concluded in district courts of the United States. Summaries of all the foregoing cases are shown in Appendix B.

The cases decided by the Supreme Court were:

*Chicago, Indianapolis & Louisville Railway Company et al. v. United States of America et al.*, 270 U. S. 287.

In this case the court had before it the question of the validity of our order in *Chicago, Lake Shore & South Bend Railway Company v. Lake Erie & Western Railroad Company et al.*, 88 I. C. C. 525, requiring the removal of unjust discrimination and undue prejudice found to result from the refusal of Michigan Central Railroad Co., Pere Marquette Railway Co., Chicago, Indianapolis & Louisville Railway Co. and Lake Erie & Western Railroad Co., steam carriers, to switch interstate carload traffic moving over the line of the Chicago, Lake Shore & South Bend Railway Co., an electric line, to and from Michigan City, Ind., and from the failure and refusal of the steam carriers to enter into arrangements for the performance of reciprocal switching of interstate carload traffic in connection with the electric line, while contemporaneously participating in such arrangements among themselves at that point.

In describing the contentions of the steam carriers and holding them to be without merit, the court, among other things, said:

*First.* The steam railroads contend that, in effect, the order directs them to establish through routes and joint rates, or to allow a common use of terminals; that such extensions of service can legally be made only upon a finding that public necessity and convenience require them, \* \* \*; and that, without making such a finding, the commission has, under the guise of a discrimination order, compelled them to extend their service. It is argued that, as a matter of law, a carrier cannot be guilty of unjust discrimination unless it is able by its own act to remove the inequality; that where there is no direct physical connection with the railroad alleged to be discriminated against, and no joint service is being rendered by the three steam railroads with the South Shore, there cannot, in law, be unjust discrimination, because the existing inequality can be removed only by the consent of a third party, the intermediate carrier. (Id. 292.)

The order does not require the steam railroads to extend any service to the South Shore. It leaves them free to remove the discrimination by any appropriate action. \* \* \* Direct physical connection with the carrier subjected to prejudice is not an essential. \* \* \* Unjust discrimination may exist in law as well as in fact, although the injury is inflicted by a railroad which has no such direct connection. Wherever discrimination is, in fact, practiced, an order to remove it may issue; and the order may extend to every carrier who participates in inflicting the injury, \* \* \*. (Id. 292-293.)

*Second.* It is contended that the circumstances and conditions under which the interchange switching service was performed by the steam railroads for each other were essentially dissimilar from those under which such service would be performed for the South Shore. \* \* \*, the commission found that the circumstances and conditions were similar. The court can not substitute its judgment for that of the commission. \* \* \* The alleged lack of reciprocity and the other facts stated do not constitute, as a matter of law, differentiating circumstances which negative discrimination. \* \* \*. (Id. 293-294.)

*Third.* It is contended that the order takes steam railroads property without due process of law. The argument is that, while in form the order leaves open to them alternatives, no one would seriously urge that they can, as a practical matter, comply with the commission's order by ceasing to interchange traffic between themselves, as that would be contrary to obvious public interest and necessity; that, therefore, in effect, the order requires them to permit the South Shore to take a part of the business which they are handling adequately; that business now enjoyed by them is their property, and that the order, therefore, amounts to taking their property in violation of the Constitution. Substantially the same objection was made and overruled in *Pennsylvania Co. v. United States*, 236 U. S. 351, and *Louisville & Nashville R. R. Co. v. United States*, 238 U. S. 1, 20. \* \* \*. (Id. 294.)

*Fourth.* It is contended that the effect of the commission's order is to require the steam railroads to establish the practice of reciprocal switching with the South Shore and to establish rates and charges covering such switching; that power to issue such an order exists only where the carrier is "engaged in the general business of transporting freight in addition to" its passenger business, \* \* \*; and that the commission was without jurisdiction to enter the order because there is not in the record satisfactory evidence that the South Shore was engaged in the general transportation of freight. \* \* \* The contention is groundless. Moreover, the commission found that the South Shore is also engaged in the general transportation of freight. Its finding is necessarily conclusive as the evidence taken before the commission was not introduced below. \* \* \*. (Id. 294-295.)

*Donner Steel Co., Inc. v. Interstate Commerce Commission*, 270 U. S. 651.

In this case the court, on March 15, 1926, denied a petition for a writ of certiorari, filed by the Donner Steel Co., to review a judgment of the Court of Appeals of the District of Columbia affirming a judgment of the Supreme Court of the District dismissing an application for a writ of certiorari requiring us to certify to the court the records and proceedings in a case wherein we dismissed the claim of the company for reparation against certain carriers, and also requesting the court to review the record and proceedings and to take such further action as to the court might seem just and proper.

This proceeding arose from action taken by us in denying the company's claim for reparation, on account of our finding that the company had not been damaged by the matters upon which the claim was based. 57 I. C. C. 745 and 92 I. C. C. 595.

*The United States of America, ex rel, Abilene & Southern Railway Company v. Interstate Commerce Commission*, 270 U. S. 650.

In this case the court, on March 15, 1926, denied a petition for a writ of certiorari, filed by the carrier, to review a judgment of the Court of Appeals of the District of Columbia affirming a judgment of the Supreme Court of the District dismissing an application for a writ of mandamus to compel us to ascertain the amount of the carrier's deficit for the first six months of 1918, and to certify to



the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920.

The mandamus proceeding arose from our order of June 6, 1923, based upon a report of the same date wherein we found that the railroad of the carrier was under Federal control during the entire Federal-control period, and therefore not entitled to the benefits provided for in and by said section. 79 I. C. C. 547.

*The State of Colorado v. United States of America, Interstate Commerce Commission, et al.*, 271 U. S. 153.

In this case the court had before it the question of the validity of our order in *Abandonment of Branch Line by Colorado & Southern Ry.*, 72 I. C. C. 315; 82 I. C. C. 310; 86 I. C. C. 393. The order is a certificate that present and future public convenience and necessity permit the abandonment by the Colorado & Southern Railway Co. of a branch line of narrow-gauge railroad located wholly within the State of Colorado. The branch line was physically detached from other lines of the company, but it was operated in both intrastate and interstate commerce as a part of the Colorado & Southern system by means of connections with other railroads. The order was assailed as void in so far as it authorizes abandonment and discontinuance of operation of the line in intrastate traffic. In stating the contentions of the State and holding them to be without merit the court, among other things, said:

*First.* The main contention of the State is that the commission lacks power to authorize the company to abandon, as respects intrastate traffic, a part of its line lying wholly within the State. The argument is this. While a railroad can not, in the absence of express statutory provision or contract, be compelled by a State to continue operating its lines at a loss when there is no reasonable prospect of future profit, and may, therefore, without such consent, abandon all lines within the State, \* \* \* ; it has no right to abandon a part of the lines, merely because operation will be attended by pecuniary loss, and still continue to enjoy the privilege of operating other parts within the State; \* \* \*. The charter of the Colorado & Southern is a contract with the State. By accepting the charter the company assumed the obligation of providing intrastate service on every part of its line within the State, \* \* \*. The extent and character of this service is subject to regulation by the State. The inherent power of a State to regulate intrastate traffic by requiring the railroad to operate every part of its line, like its power to order a particular service, is, of course, subject to the limitation that the order must not be unreasonable. But the fact that operation of the branch will necessarily result in financial loss, would, in no event, be more than an important circumstance bearing upon the reasonableness of the State's order requiring the service. In the case at bar no question of the reasonableness of the State's action can arise, because the State has not issued any order; it has merely protested against the commission's releasing this Colorado corporation from the primary duty voluntarily assumed of maintaining some service on the branch. This the commission can not do as respects intrastate commerce. Transportation act, 1920, did not purport to take from the State its powers to control intrastate commerce. Nor did it



confer upon the commission power to release a corporation chartered by the State from its primary obligation to furnish service. If paragraph 18 of section 1 should be construed as authorizing the commission to do so without the consent of the State, the provision would be unconstitutional. \* \* \*.

The argument rests upon a misconception of the nature of the power exercised by the commission in authorizing abandonment under paragraphs 18-20. The certificate issues not primarily to protect the railroad, but to protect interstate commerce from undue burdens or discrimination. The commission by its order removes an obstruction which would otherwise prevent the railroad from performing its Federal duty. \* \* \*.

The sole objective of paragraphs 18-20 is the regulation of interstate commerce. Control is exerted over intrastate commerce only because such control is a necessary incident of freeing interstate commerce from the unreasonable burdens, obstruction, or unjust discrimination which is found to result from operating a branch at a large loss. Congress has power to authorize abandonment, because the State's power to regulate and promote intrastate commerce may not be exercised in such a way as to prejudice interstate commerce. \* \* \*. The jurisdiction exercised by the commission in these cases is in essence that which was invoked in *The Shreveport Case*, 234 U. S. 342, a power to prevent unjust preference to particular intrastate shippers or localities at the demonstrated expense of interstate commerce. But there is a broader basis for Federal control.

This railroad, like most others, was chartered to engage in both intrastate and interstate commerce. The same instrumentality serves both. The two services are inextricably intertwined. The extent and manner in which one is performed necessarily affects the performance of the other. Efficient performance of either is dependent upon the efficient performance of the transportation system as a whole. \* \* \*.

The exercise of Federal power in authorizing abandonment is not an invasion of a field reserved to the State. The obligation assumed by the corporation under its charter of providing intrastate service on every part of its line within the State is subordinate to the performance by it of its Federal duty, also assumed, efficiently to render transportation services in interstate commerce. There is no contention here that the railroad by its charter agreed in terms to continue to operate this branch regardless of loss. \* \* \*. But even explicit charter provisions must yield to the paramount power of Congress to regulate interstate commerce. \* \* \*. Because the same instrumentality serves both, Congress has power to assume not only some control but paramount control in so far as interstate commerce is involved. It may determine to what extent and in what manner intrastate service must be subordinated in order that interstate service may be adequately rendered. The power to make the determination inheres in the United States as an incident of its power over interstate commerce. The making of this determination involves an exercise of judgment upon the facts of the particular case. The authority to find the facts and to exercise thereon the judgment whether abandonment is consistent with public convenience and necessity Congress conferred upon the commission.

*Second.* The State contends further that the order is void, so far as it relates to intrastate traffic, because essential findings were not made, and also because essential findings made were not supported by evidence. \* \* \*. The findings alleged to be essential and lacking are that by continued operation of the branch interstate or foreign commerce will be discriminated against, or that the company will be prevented from earning a fair return on the value of its properties as a whole, or that the entire intrastate business in Colorado will

not earn such a return upon the property used in conducting that business. The other objections urged are that the evidence of past operating deficits on the branch, which include both interstate and intrastate traffic, does not support the finding that operation in intrastate traffic alone will result in like deficits; and that the decision of the commission was improperly influenced by an offer to lease the line to the protestants at a nominal rental. \* \* \*

While the constitutional basis of authority to issue the certificate of abandonment is the power of Congress to regulate interstate commerce, the act does not make issuance of the certificate conditional upon a finding that continued operation will result in discrimination against interstate commerce, or that it will result in a denial of just compensation for the use in intrastate commerce of the property of the carrier within the State, or that it will result in a denial of such compensation for the property within the State used in commerce intrastate and interstate. The sole test prescribed is that abandonment be consistent with public necessity and convenience. \* \* \*

An examination of the extensive record and of the three opinions of the commission convinces us that no relevant fact was ignored, that there was ample evidence to support the facts found, and that the judgment of the commission was not improperly influenced by the offer to lease the line to the protestants at a nominal rental. \* \* \*

*Western Paper Makers' Chemical Co. et al., v. United States of America and Interstate Commerce Commission*, 271 U. S. 268.

In this case the court had before it the question of the validity of our orders in *Naval Stores from Southern Producing Points to Various Destinations*, in so far as they cover rates for the transportation of rosin from points of origin south of the Ohio River to Kalamazoo and Grand Rapids, Mich. 87 I. C. C. 740; 89 I. C. C. 634. In stating objections to the orders, advanced by the appellants, and holding them to be without justification the court said:

The objections as presented here in brief and argument were addressed mainly to the soundness of the reasoning by which the commission reached its conclusions. It was urged that these are inconsistent with conclusions reached by it in similar cases; that the findings are inconsistent with some views expressed in its reports in this proceeding; that some evidence was improperly considered; and that inferences drawn from some of the evidence were unwarranted. These objections we have no occasion to discuss. The determination whether a rate is unreasonable or discriminatory is a question on which the finding of the commission is conclusive if supported by substantial evidence, unless there was some irregularity in the proceeding or some error in the application of the rules of law. \* \* \*. No such irregularity or error is shown. In making its determinations the commission is not hampered by mechanical rules governing the weight or effect of evidence. The mere admission of matter which under the rules of evidence applicable to judicial proceedings would be deemed incompetent does not invalidate its order. \* \* \*. There was ample evidence to support the finding that the joint through rates regarded as entireties were reasonable and justified. Prior existing rates, whether locals or such proportionate rates from a key point to points of destination as were made applicable to this

particular class of traffic, or through rates upon other commodities moving from similar points of origin, are proper matters for consideration in establishing new through rates. To consider the weight of the evidence is beyond our province.

Among the objections urged here was this: The rate from New Orleans to Chicago was fixed at 37 cents; that to Kalamazoo at 39. The rate from New Orleans to Milwaukee was fixed at 39 cents; that to Grand Rapids at 40. One of the many routes from the southern ports to Chicago theretofore open was via Cincinnati and Kalamazoo; one of those to Milwaukee was via Cincinnati and Grand Rapids. These routes had been rarely used. If retained, they would have violated the long and short haul clause of section 4 of the interstate commerce act unless relief therefrom was granted by the commission. \* \* \*. That relief it refused; and, to remove this obstacle to the higher Kalamazoo and Grand Rapids rates, it directed that these routes should be abandoned. The plaintiffs insist that the commission could not lawfully close an existing route in order to avoid a fourth-section violation. The authority exercised was clearly within the broad discretion vested in the commission. \* \* \*.

*Home Furniture Company et al. v. The United States of America, the Interstate Commerce Commission, et al., — U. S. —.*

In this case the court had before it for determination a jurisdictional question, namely, whether the District Court of the United States for the Western District of Texas is the proper venue for a suit instituted to set aside our order authorizing the Southern Pacific Co., upon application, to obtain control of the El Paso & Southwestern system by purchase of stock and bonds and through leases, under circumstances which may be described briefly as follows: The complainants in court are residents of the western district of Texas. The Southern Pacific Co. is a corporation organized and existing under the laws of the State of Kentucky. The El Paso & Southwestern Railroad Co. operates all the lines included in the El Paso & Southwestern system and is a corporation existing under and by virtue of the laws of the State of Arizona. The pertinent provisions of law are included in the venue paragraph of the urgent deficiencies appropriations act of October 22, 1913 (c. 32, 38 Stat. 208), which reads:

The venue of any suit hereafter brought to enforce, suspend or set aside, in whole or in part, any order of the Interstate Commerce Commission shall be in the judicial district wherein is the residence of the party or any of the parties upon whose petition the order was made, except that where the order does not relate to transportation or is not made upon the petition of any party the venue shall be in the district where the matter complained of in the petition before the commission arises, and except that where the order does not relate either to transportation or to a matter so complained of before the commission the matter covered by the order shall be deemed to arise in the district where one of the petitioners in court has either its principal office or its principal operating office. In case such transportation relates to a through shipment the term "destination" shall be construed as meaning final destination of such shipment.



In construing the venue paragraph mentioned, and in holding that the suit was not sustainable in the western district of Texas, the court said:

The language of this provision was not happily chosen, but when consideration is given to the situation of the complaining parties here, the gravamen of their bill and the report of the commission, we think it becomes sufficiently clear that its order has direct relation to transportation, within the meaning of the statute.

\* \* \* \* \*

The challenged order was made upon a petition, and neither party thereto resides within the western district of Texas. It related to transportation. Consequently, the court below was without jurisdiction. \* \* \*. Moreover, the bill alleged no probable direct legal injury to appellants except such as might arise out of changed conditions in respect of transportation to and from the city of El Paso. Accordingly, they had no proper cause of complaint unless the order had definite relation to transportation.

*United States ex rel. Cripple Creek & Colorado Springs Railroad Company v. Interstate Commerce Commission*, — U. S. —.

In this case the court, on October 18, 1926, denied a petition for a writ of certiorari, filed by the carrier, to review a judgment of the Court of Appeals of the District of Columbia affirming a judgment of the Supreme Court of the District dismissing an application for a writ of mandamus to compel us to ascertain the amount of the carrier's deficit from June 30, 1918, to July 14, 1919, inclusive, and to certify to the Secretary of the Treasury that the amount was payable to the carrier under section 204 of the transportation act, 1920.

This proceeding arose from action taken by us in denying the carrier's claim under said section. 82 I. C. C., 129; 90 I. C. C. 271.

Other cases in which decisions of the Supreme Court involved orders made by us are:

*The Minneapolis & St. Louis R. R. Co. et al. v. Peoria & Pekin Union Ry. Co.* 270 U. S. 580.

In this case the court was called upon to determine whether our order of April 13, 1922, made and entered in *Minneapolis & St. Louis R. R. Co. v. Peoria & Pekin Union Ry. Co.*, 68 I. C. C. 412, was in force at the time the case was instituted in court; and in determining that question in the negative the court, among other things, said:

The commission had found that the Peoria company discriminated against the Minneapolis & St. Louis by imposing upon it a switching charge while certain other carriers were not required to pay any charge. By the order of April 13, 1922, the commission directed that the discrimination be removed. That order left the Peoria company free to remove the discrimination either by discontinuing the charge complained of or by making a like charge to the other lines. \* \* \*. It elected to remove the discrimination by making a charge to the other carriers and filed tariffs to that end. The other carriers protested.



The new tariffs were suspended for consideration by the commission in a new proceeding known as Investigation and Suspension Docket No. 1596. At the request of the Minneapolis & St. Louis, the proceeding which it had brought was, by order of July 10, 1922, reopened for further hearing in this connection. On December 22, 1922, the commission concluded that the new tariffs were not justified; and that a still broader investigation involving additional parties must be had before just rates could be established. *Intermediate Switching Charges at Peoria, Ill.*, 77 I. C. C. 43. On that day, it entered an order in the original proceeding brought by the Minneapolis & St. Louis: "That the complaint in this proceeding be, and it is hereby, dismissed." On the same day it entered in the later proceeding an order that the new tariffs be cancelled.

\* \* \* On January 5, 1923, the chairman of division 5 of the commission telegraphed the Peoria company that the order of April 13, 1922 "still stands unrescinded." On January 8, 1923, the commission entered, of its own motion, pursuant to paragraph 2 of section 13 of the interstate commerce act as amended an order for a general investigation into switching charges at Peoria. With the proceeding so ordered it reopened and consolidated the earlier ones. \* \* \*.

\* \* \* The order of December 22, 1922, dismissed the complaint without making any reservation. It operated, therefore, to rescind the order of April 13, 1922, which rested on that complaint alone. \* \* \*.

\* \* \* The commission did not at any time before the bringing of this suit make any order which purported either to rescind the order of dismissal of December 22, 1922, or to restore the order of April 13, 1922, or which made any reference either to such dismissal or to a restoration. The opinion of a commissioner, expressed in the telegram of January 5, 1923, that the order of April 13, 1922, was in full force despite the dismissal of the complaint was without legal significance. The effect of the order of dismissal entered December 22, 1922, must be determined by the terms of the order, unless and until modified by formal action of the commission. It can not be affected by what a member of the commission may declare informally was intended. The order of January 8, 1923, had the effect of restoring to the docket the original proceeding instituted by the Minneapolis & St. Louis; but by reopening the case for further hearing the commission did not indicate a purpose to restore the order of April 13, 1922. \* \* \*.

*Clarence H. Venner, v. The Michigan Central Railroad Company*, 271 U. S. 127.

This was a suit against the Michigan Central Railroad Co., instituted by a minority stockholder of that carrier in a State court and afterwards removed to a Federal court, and in ruling that the suit should be dismissed for want of jurisdiction the court, among other things, said:

\* \* \* The purpose with which the suit is brought is to enjoin the defendant company from carrying out an agreement with two other railroad companies under which the three, collectively styled "New York Central Lines," are to acquire a large number of locomotives for use on their respective roads in both interstate and intrastate commerce; are to obtain money to pay for this equipment by issuing certificates, payable at intervals during a period of 15 years with semiannual dividend warrants representing interest; and are to covenant jointly and severally to pay rentals for the equipment sufficient to pay the certificates and dividend warrants as they mature. On

application by the three companies pursuant to section 20a the Interstate Commerce Commission, after notice and investigation, made an order approving the agreement and authorizing the acts contemplated therein. The order was made the day before the suit was begun.

\* \* \* \* \*

We agree with the court below that the suit is essentially one to annul or set aside the order of the commission. While the amended bill does not expressly pray that the order be annulled or set aside, it does assail the validity of the order and pray that the defendant company be enjoined from doing what the order specifically authorizes, which is equivalent to asking that the order be adjudged invalid and set aside. \* \* \*. Such a suit must be brought against the United States as the representative of the public and may be brought only in a Federal district court. \* \* \*. That the order is not mandatory but permissive makes no difference in this regard. \* \* \*. And as the State court was without jurisdiction the Federal court acquired none by the removal. \* \* \*.

In *Texas & Pacific Railway Company v. Gulf, Colorado & Santa Fe Railway Company*, 270 U. S. 266, which did not involve any of our orders, the Supreme Court held that projected trackage in the State of Texas, 7½ miles in length, known as the Hale-Cement Line, to be constructed by the Gulf, Colorado & Santa Fe Railway Co. from a point on its line called Hale to certain industries adjacent to and served directly and exclusively by the Texas & Pacific, would if constructed be an extension within the meaning of paragraph (18) of section 1 of the interstate commerce act, and that for this reason the construction can not take place legally unless and until a certificate that public convenience and necessity permit of the construction is issued by us.

In holding to be without merit the contention of the Gulf, Colorado & Santa Fe that the line if constructed would be an industrial track within the meaning of paragraph (22) of said section, and that the construction therefore would be exempted from our jurisdiction, the court said:

In support of its contention that the proposed line constitutes an industrial track, the Santa Fe cites instructions differentiating branches from spurs, which are given by the Interstate Commerce Commission in forms long prescribed for accounting purposes. It points also to uses made of these terms in other connections by courts, by the commission, and by State legislatures. A truer guide to the meaning of the terms extension and industrial track, as used in paragraphs 18 to 22, is furnished by the context and by the relation of the specific provisions here in question to the railroad policy introduced by transportation act, 1920. By that measure Congress undertook to develop and maintain, for the people of the United States, an adequate railway system. It recognized that preservation of the earning capacity, and conservation of the financial resources, of individual carriers is a matter of national concern, that the property employed must be permitted to earn a reasonable return; that the building of unnecessary lines involves a waste of resources and that the burden of this waste may fall upon the public; that competition between carriers may result in harm to the public as well as in benefit; and that when a

railroad inflicts injury upon its rival it may be the public which ultimately bears the loss. \* \* \*. The act sought, among other things, to avert such losses.

When the clauses in paragraphs 18 to 22 are read in the light of this congressional policy, the meaning and scope of the terms extension and industrial track become clear. The carrier was authorized by Congress to construct, without authority from the commission, "spur, industrial, team, switching, or side tracks \* \* \* to be located wholly within one State." Tracks of that character are commonly constructed either to improve the facilities required by shippers already served by the carrier or to supply the facilities to others, who, being within the same territory and similarly situated, are entitled to like service from the carrier. The question whether the construction should be allowed or compelled depends largely upon local conditions, which the State regulating body is peculiarly fitted to appreciate. Moreover, the expenditure involved is ordinarily small. But where the proposed trackage extends into territory not theretofore served by the carrier, and particularly where it extends into territory already served by another carrier, its purpose and effect are, under the new policy of Congress, of national concern. For invasion through new construction of territory adequately served by another carrier, like the establishment of excessively low rates in order to secure traffic enjoyed by another, may be inimical to the national interest. If the purpose and effect of the new trackage is to extend substantially the line of a carrier into new territory, the proposed trackage constitutes an extension of the railroad within the meaning of paragraph 18, although the line be short and although the character of the service contemplated be that commonly rendered to industries by means of spurs or industrial tracks. Being an extension, it can not be built unless the Federal commission issues its certificate that public necessity and convenience require its construction. The Hale-Cement Line is clearly an extension within this rule. (Id. 277-279.)

### BUREAU OF INQUIRY

For violations of the interstate commerce act and related acts 19 indictments were returned and eight informations were filed. Four penalty suits were filed, of which three were for disobedience of our orders and one for failure to grant access to records. One injunction proceeding under section 3 of the Elkins Act, to restrain the granting and accepting of concessions and discriminations in respect of interstate transportation, was instituted. Thirty-nine cases were concluded. The fines and penalties imposed aggregated \$80,225. Prosecutions instituted and concluded were distributed over the following States: Arkansas, California, Florida, Georgia, Idaho, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, Washington, West Virginia and Wisconsin.

During the year prosecutions have been instituted against seven carriers for violations of the long-and-short-haul clause of section 4 of the interstate commerce act. Other indictments returned and informations filed charged the falsifying of records of common car-



riers, unlawful use of interstate passes, false billing of shipments and filing of false claims by shippers, and frauds in connection with the issuance and use of bills of lading.

Two important decisions construing the provisions of the Elkins Act were announced on April 12, 1926, by the Supreme Court. *United States v. The P. Koenig Coal Company*, 270 U. S. 512; *United States v. Michigan Portland Cement Company*, 270 U. S. 521. Defendants were indicted in the district court of the United States for the Eastern District of Michigan for accepting and receiving concessions whereby an advantage was given and a discrimination was practiced, in violation of section 1 of the Elkins Act. The indictments alleged in substance that the defendants, who were shippers, through deception induced certain common carriers by railroad to afford them interstate transportation of coal when our service order No. 23, issued under the emergency powers conferred upon us by section 1 (15) of the interstate commerce act, restrained the carriers from assigning their cars to that service and performing that transportation. The district court sustained demurrers to the indictments on the ground that section 1 of the Elkins Act applies only to a shipper who knowingly receives a concession from a carrier in equal guilt with the shipper. *United States v. The P. Koenig Coal Company*, 1 Fed. (2d) 738.

The Government obtained a review by the Supreme Court on writs of error. The Supreme Court held that the offenses described in the Elkins Act are not limited to cases of collusion between, or to joint crimes by, carrier and shipper, and therefore a shipper who knowingly accepts and receives an unlawful concession is not released from guilt because of the circumstance that the carrier did not knowingly and consciously grant the concession.

The Supreme Court further held that the provisions of section 1 of the Elkins Act apply to concessions other than concessions from published and filed tariffs. It was contended that section 1 of the Elkins Act must be limited to a concession or discrimination which violates a tariff published and filed by a carrier, and that as a rebate without such tariff is not unlawful within that section, so a concession or discrimination is not. The Supreme Court said:

The Elkins Act does not require such a tariff as to any other advantage or discrimination than a rebate. It declares to be an offense any device whereby transportation shall be given at any less rate than named in the published tariff "or whereby any other advantage is given or discrimination is practiced." Where the offense consists in a rebate, as that term is usually understood, to wit, transportation at a less rate in dollars and cents than the published rate which the shipping public are charged, a published tariff is of course necessary to constitute the standard, departure from which is the crime. Where there is no pecuniary reduction of the rates as published, and

the tariff is complied with but the law against favoritism and discrimination is infringed by the making of a concession or the granting of an advantage not specifically measured in dollars and cents, reference to a published tariff is unnecessary. There is nothing in the statute that indicates the necessity of a published tariff which should expressly recite the fact that no unfair or unequal concession or advantage in the distribution of coal cars to shippers, or in the priority of their shipment, should be afforded.

Upon the several constitutional questions involved the Supreme Court adhered to the views it expressed in *Avent v. United States*, 266 U. S. 127, in which the facts were similar.

Following these decisions the defendants pleaded guilty to the indictments in the district court and fines were imposed upon them.

Summaries of the indictments returned, informations filed, penalty and other suits instituted, and cases concluded during the year will be found in Appendix A.

### BUREAU OF SERVICE

Since reorganization of this bureau a year ago with enlargement of its scope its activities have been greatly increased. Investigations and hearings pertaining to railway operation, theretofore handled under special assignment or by detached groups in various sections of our organization, are now being assigned to this bureau. It also conducts hearings in certain formal cases and assists in the consideration and review of others.

Individuals, civic and commercial organizations, and other members of the public are utilizing to an increasing extent the services and facilities of this bureau. Our definite policy of seeking to bring about the greatest possible measure of cooperation between shippers and carriers has contributed largely to efficiencies and economies of operation and has facilitated transportation. Our service agents are constantly assisting in the adjustment of differences and complaints of a local nature between shippers and carriers. Many such are brought directly to the attention of our service agents who are in the field because of other duties or assignments. Some are referred to these agents by us. The immediate attention so given at an incipient stage frequently results in bringing the parties together and, in nearly all such instances, satisfactory adjustments are reached, thereby obviating the filing of formal complaints and the resulting expense to the shippers, the carriers and the commission.

We have continued to stress the need for heavier car loading, increased car mileage, preclassification of cars in freight trains, and observance of car-service rules, all important in their bearing on efficiency in operation.

## CAR-SERVICE RULES

During the year it was found that carriers generally in the Chicago district were not observing the provisions of certain car-service rules in forwarding merchandise traffic from their different freight houses. The rules contemplate that when cars are unloaded at destination they will be forwarded either loaded or empty in the direction of the owning road, or returned to the owner over the route traversed by the outbound shipment. In many instances carriers having lines extending west from Chicago forwarded under load to eastern destinations their own and other cars, which, under the rules, should have gone west, and at the same time were returning empty from Chicago cars belonging to eastern carriers. The eastern carriers were following similar practices. The cars so loaded and forwarded in violation of the car-service rules constituted a considerable portion of the total number of cars loaded at and forwarded from Chicago on a majority of the larger lines. In other instances, the practices followed, although not directly in violation of the car-service rules, were not conducive to economical operation. Obviously such practices result in unnecessary movement of empty cars and other avoidable expense. The action taken to bring about observance of these rules resulted within two months in substantial reduction of the number of violations. Investigations followed at other terminals with like results.

## TIDEWATER COAL

Bituminous coal shipped to tidewater in 1926 will exceed that in 1924 and 1925, largely because of increased exportation, which, in turn, is caused by the strike of coal miners in Great Britain. The amount of bituminous coal exported via tidewater between January 1 and October 31, 1926, approximates 15,080,000 net tons, as contrasted with 4,508,000 tons during the first 10 months of 1925, and 4,112,000 tons during the same months in 1924.

The British coal strike began May 1, 1926. From May 1 to September 30, 1926, coal exported through Hampton Roads, Va., amounted to 5,680,990 tons, as compared with 2,301,801, 1,577,400, and 1,491,000 tons in the same periods of 1925, 1924, and 1923, respectively. Coal forwarded through Hampton Roads to New England during the corresponding periods aggregated 3,431,513, 3,906,210, 3,196,832, and 3,501,584 tons in 1926, 1925, 1924, and 1923, respectively.

The Chesapeake & Ohio found it necessary to place an embargo on coal for tidewater in order to regulate the movement to and prevent congestion at the port, caused primarily by the increased movement of coal for export and the character of the vessels fur-



nished for coal to foreign ports. With this large increase in export coal, and with the utilization to capacity of the pier facilities which are the limiting factors for unloading coal into vessels, certain public utilities in New England and elsewhere are experiencing some difficulty in securing the regular movement of coal under contract. The situation is a difficult one to handle and is receiving close supervision.

#### GRAIN

The movement of grain, principally wheat, from the Southwest to Galveston, Tex., and neighboring ports has been very heavy. Not only has the volume been great, but the period within which it moved has been shorter than usual. This combination caused the facilities at the ports to be taxed practically to capacity. Some congestion resulted and at times it was necessary to store grain on the ground at the point of origin. There was a temporary shortage of grain cars, notwithstanding the fact that, in anticipation of a heavier movement, a greater number of cars had been stored by the railroads in the grain territory than in previous years. The use in harvesting the grain of so-called "combines," machines which reap and thresh in one operation, apparently made earlier shipments possible. The port elevators were at certain periods operated almost continuously, and this assisted greatly in securing more rapid release of equipment and in avoiding congestion and ground storage. The experiences of this season will undoubtedly serve as an aid in obviating interruption in future movement of this traffic.

Our service agents made a preliminary survey of this as well as other sections in order to obtain first-hand information as to the volume of traffic which would probably be offered for movement in the different territories. This was followed by surveys of available cars suitable for grain loading and of the elevator facilities. The results of these surveys were very helpful to all concerned in making preparations for the movement. Throughout the period of movement our service agents continued their efforts, through cooperation with the carriers, elevator operators, and shippers, to bring about movement of the grain with the least possible delay.

#### FREIGHT CONGESTION IN FLORIDA

The congestion in Florida was discussed in our last report. It continued throughout December, 1925, and into 1926. We held conferences with the principal operating officials of the railroads serving Florida and with representatives of the car-service division of the American Railway Association. Much stress was laid by the carriers' representatives upon certain development work in progress

and in contemplation, such as double tracking, new yards and terminals, new and larger motive power, and other equipment. But looking to the future did not help the present situation. Traffic was not being handled currently. Operating efficiency was at a low ebb. Loads into Florida continued to accumulate at the various gateways and terminals. The unloading of cars and the return of empties was not facilitated. Daily checks of yards and terminals were not made. The entire area lacked coordination with the result that much effort was misdirected and lost. The local shippers blamed the carriers. The carriers contended that shippers were not unloading promptly, and the country at large was clamoring to get commodities into Florida. The embargoes were still in effect in January, 1926.

Our director and an augmented force of service agents were sent into Florida to work cooperatively with carriers and shippers. Their efforts were directed toward obtaining facts and figures which were used in conferences with carriers and consignees. Interest of civic organizations and municipal authorities in the matter of releasing cars was created or revived. By February the situation was approaching normal, and on February 22 the state-wide embargo was modified so that it remained effective only on building and road-construction materials. In March the embargo was practically lifted.

In connection with the Florida situation we found it necessary on two occasions to exercise our emergency powers by issuance of service orders. Service Order No. 42, entered December 4, 1925, vacated March 19, 1926, was issued pursuant to a joint petition filed with us by the Brooksville & Inverness Railway and the Seaboard Air Line Railway, and directed the latter road to divert certain described traffic over the Brooksville & Inverness, a newly constructed line, with the object of facilitating traffic movement, the Seaboard Air Line being unable to currently transport all freight traffic offered. The newly constructed track bridged a gap of about 18 miles between Brooksville and Inverness, Fla., and made available an additional track between Waldo and Tampa, Fla., a distance of more than 150 miles. No tariffs were in effect over the new road. Our service order enabled the carriers to utilize this new line for through traffic immediately upon its completion, and obviated the necessity of deferring operations until certain pending questions pertaining to a lease of the new line by the Seaboard Air Line could be heard and decided.

Service Order No. 43, issued December 28, 1925, and vacated effective April 8, 1926, directed all common carriers by railroad in the territory south of the Ohio River and east of the Mississippi River to forward traffic to and from destinations in the State of Florida by the routes most available to expedite its movement and prevent

congestion, without regard to the routing thereof made by shippers, or by carriers from which the traffic was received, or to the ownership of the cars, and suspended all conflicting rules, regulations, and practices of those carriers with respect to car service. This service order was issued because of serious and prolonged congestions and accumulations in Florida of loaded and empty freight cars, and the failure of the carriers operating in that State to provide adequate freight transportation. No other service orders were entered during the year.

#### GRAPE PLAN

During 1925 and previous years we received many complaints from California shippers of grapes that available refrigerator cars were not being equitably distributed. With a view to obviating similar difficulties this year, a member of our field force made detailed study of the situation and submitted an outline of a plan of car distribution. This outline was submitted by us to the car-service division for consideration by it, the railroads, and the private-car lines, as well as the growers and shippers of the State through the medium of the Pacific coast regional advisory board. The necessary details in carrying out the plan were worked out by cooperation between these various interests, and the plan as a whole has been approved by railroads, private-car lines, and the large majority of growers and shippers in the State.

Under this plan California is divided into eight districts for the purpose of car distribution. Each district furnishes advance information periodically to a central organization respecting the number of refrigerator cars which will be needed during a given period and orders are placed several days before shipments are ready to be loaded. These reports inform the central car distribution organization of the needs of shippers in each district. They enable the carriers to place refrigerator cars at stations where they will be immediately loaded, and in the event of a car shortage will make possible a pro rata distribution among the various districts on the basis of tonnage to be shipped. The plan is still in an experimental stage. The results of its operation during the past season will no doubt indicate that some change will be necessary to make it more effective. But it is a step in the right direction and we feel that the nucleus for a more systematic distribution of cars and movement of the enormous grape crop has been established. To expedite the movement of refrigerator cars and prevent unnecessary delays in transit our field forces have been active in urging prompt release at destination points and in watching the movement of cars through large terminals. In many instances we found that the return move-



ment of empty cars by line haul and through terminals was too great, and steps were taken to expedite the movement.

The magnitude of the grape movement is evidenced by the fact that for the 10 months ended October 31, 1926, the grape shipments originating in California are estimated at 63,000 carloads. The corresponding figures were 70,610, 52,900, and 47,300 in the comparable periods of 1925, 1924, and 1923, respectively. Shipments were substantially greater in June, July, and August, 1926, than in the same months of 1925, but in September and October the movement this year was considerably below that of the same months in 1925, presumably because some of the growers and shippers restricted shipments to five days each week in order to avoid overstocking the markets.

#### COOPERATIVE TESTS

In our last report we referred to tests which we were conducting in cooperation with the Department of Agriculture in respect of refrigerating methods and appliances as used in the movement of perishables by rail. The tests are being continued.

We are also cooperating with the Department of Agriculture and private refrigerator-car lines in tests and studies relative to the waterproofing of refrigerator-car floors.

The importance of the perishable freight traffic and the proportion of refrigerator cars to all freight cars is shown in the following two paragraphs:

#### PERISHABLE FREIGHT

During the 12 months ended October 31, 1926, the car-lot movement of fresh fruits and vegetables is estimated at 980,000 cars, as compared with approximately 968,000 and 950,000 for the corresponding periods ended October 31, 1925 and 1924.

#### REFRIGERATOR CARS IN SERVICE

Our report in the *Private Car case*, 50 I. C. C. 652, 659, indicated that there were in service as of January 1, 1913, an aggregate of 103,508 refrigerator cars, of which 48,926 were owned by railroads and 54,582 by private interests. The reports of the car service division of the American Railway Association for October 1, 1926, show the total number of refrigerator cars on that date to be in excess of 156,000, or over 6 per cent of the total number of freight cars of all classes now in use. Of these 156,000 approximately two-thirds are owned or operated by private lines.

#### EFFICIENCY AND ECONOMY OF OPERATION

In previous reports we have outlined our studies and activities concerning efficiency and economy of operation. The creation of the

section of efficiency and economy of operation within the bureau of service, as stated in our last report, has made for increased efficiency and economy. Matters pertaining to car service and to efficiency and economy of operation are so interrelated that work in both lines is being handled cooperatively without overlapping or duplication of effort. Some of the investigations mentioned elsewhere in this report—as, for example, those relating to the Florida congestion, wasteful car handling practices, refrigerator-car distribution, icing, tidewater coal congestions, etc.—are matters involving efficiency and economy of operation in which the combined forces of the bureau have participated.

Other investigations and studies have been carried on, the principal ones being investigations covering the excess costs of repairs to locomotive equipment in outside shops. In one case it was found that repairs to 177 locomotives in outside contract shops cost \$1,827,000 in excess of what it would have cost the carrier to repair the equipment in its own shop, an average excess of \$10,330 per locomotive unit.

We have under analysis the contracts made by carriers for repairs to locomotives, cars, and other equipment in shops other than their own, which are filed with us in accordance with our order of July 6, 1925.

In the course of our work we find many expenditures by carriers which appear to be excessive. To determine this question with respect to hire of equipment and other operating expenditures which appear to be unusual, we have made informal investigations.

The following table affords a comparison of selected operating ratios.

*Comparison of selected items, operating averages, Class I steam roads, eight months, 1920 to 1926, also August, 1926, 1925, 1924, and 1923, United States*

Eight months ended with August	Net ton- miles per mile of road per day	Trainload		Average miles per hour of train	Net ton- miles per car- day	Average car- load tons	Car- miles per car- day	Per cent loaded of total car- miles	Cars per train	Loco- motive- miles per loco- motive- day
		Gross tons (except loco- mo- tives)	Net tons							
1920-----	5, 179	1, 433	708	10.3	483	28.8	24.0	69.9	36.2	61.6
1921-----	3, 929	1, 423	646	11.5	378	27.9	21.7	62.5	38.1	48.3
1922-----	3, 999	1, 445	655	11.5	388	26.2	22.3	66.4	38.6	48.8
1923-----	5, 341	1, 528	716	10.8	510	28.2	27.4	66.0	39.4	60.3
1924-----	4, 792	1, 569	704	11.5	455	26.8	26.1	65.0	41.4	54.0
1925-----	5, 116	1, 655	740	11.9	475	27.0	27.3	64.5	43.5	56.0
1926-----	5, 467	1, 716	780	12.0	511	27.1	29.6	63.7	44.9	60.1
August:										
1923-----	5, 552	1, 592	745	11.0	528	28.5	28.3	65.4	40.9	60.1
1924-----	5, 010	1, 655	746	11.7	472	27.1	26.7	65.2	43.2	52.0
1925-----	5, 725	1, 759	796	11.8	526	27.8	29.5	64.1	45.6	59.0
1926-----	5, 995	1, 827	820	12.0	559	27.9	31.5	63.6	47.2	61.4

*Fuel consumption, freight locomotives, eight months ended with August 31*

Gross ton-miles per ton of coal:

1921 -----	12, 374
1922 -----	12, 681
1923 -----	12, 270
1924 -----	13, 277
1925 -----	14, 390
1926 -----	14, 691

*Percentage of locomotives and freight cars unserviceable, United States*

Period	Per cent of freight cars unserviceable	Per cent of locomotives unserviceable		Period	Per cent of freight cars unserviceable	Per cent of locomotives unserviceable	
		Road freight	Road passenger			Road freight	Road passenger
1920 -----	7.0	24.5	24.8	1924 -----	7.8	18.8	18.5
1921 -----	13.1	24.0	23.1	1925 -----	7.7	17.8	17.9
1922 -----	12.8	25.5	23.5	1926 (8 months) ----	6.8	16.8	17.2
1923 -----	8.0	21.6	20.8				

## TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Since our last report regulations for the safe transportation of explosives and other dangerous articles by land were amended by 11 formal orders containing changes in 248 paragraphs of the safety requirements. Eighty-eight further changes are under consideration in addition to eight specifications for the construction of tank cars for transporting dangerous commodities.

Regulations for the transportation of liquid and dry insecticides, reduction in the amount of explosives in fireworks, and the elimination of phosphorus from fireworks were the subject of special study. An order establishing regulations for insecticides was approved.

Shipment of alcohol under billing as lubricating oil was made the subject of inquiry by reason of requirements of the safety regulations for special billing and marking. A summary of accidents occurring during the transportation of explosives and other dangerous articles in the calendar year 1925 as compared with 1924 shows:

Year	Number of accidents	Killed	Injured	Property loss
1925 -----	1, 601	13	57	\$1, 055, 469
1924 -----	1, 299	8	59	831, 923

The increase in property loss is accounted for by two accidents. A shipment of several carloads of benzol was burned after one of the cars ran off the end of an elevated spur. In the other accident the loss was due to release of acetylene gas in a wreck caused by derailment, with resulting fire.

Investigations and service tests were authorized in connection with nine new types of tank-car equipment, loading and unloading devices,



automatic locking dome covers, safety valves and bottom discharge outlets, to be attached to a total of 381 tank cars.

#### REVENUE FREIGHT LOADED

New high records were established during the past year in the transportation of revenue-producing freight. The aggregate loading in the 12 months ended October 31, 1926, is estimated as 53,000,000 cars, an average of more than 1,000,000 cars per week, which compares with 50,986,000, 48,657,000, and 49,795,000 cars loaded in the 12 months ended October 31, 1925, 1924, and 1923, respectively. The largest freight-car shortage reported during the past year was in the week of October 31, 1926, when the total shortage of all classes of cars averaged 1,945 per day. In the same week an aggregate surplus of 81,011 cars was reported. For the entire year the carriers reported on line, available for service, a daily average of 205,000 railroad-owned serviceable freight cars which were idle because the supply exceeded the demand.

The paragraphs immediately following denote the relative movement of individual commodities during the past year, as compared with the three proceeding years.

#### COAL

The bituminous coal production for the year ended October 31, 1926, is estimated at 564,490,000 net tons, compared with 507,739,000, 480,986,000, and 573,886,000 for the corresponding periods ended October 31, 1925, 1924, and 1923.

For the same period anthracite production totaled approximately 70,400,000 tons for 1926, 75,500,000 tons for 1925, 89,239,000 tons for 1924, and 95,672,000 tons for 1923. Anthracite miners were on a strike from September 1, 1925 until the latter part of February, 1926.

The bituminous lake cargo coal moved during the 1926 season to October 31, plus the stocks at the head of the lakes on April 1, totaled 26,714,146 net tons, and exceeds the corresponding figure in each of the six preceding years except 1923. Stocks on hand at the head of the lakes as of April 1 with the tonnage dumped to October 31 for 1926 and previous years are shown below:

Year	Bituminous stocks at the head of the Lakes Apr. 1	Net tons dumped into boats to Oct. 31	Stocks Apr. 1, plus tons dumped to Oct. 31
1920.....	644, 968	19, 090, 827	19, 735, 795
1921.....	1, 765, 784	20, 870, 869	22, 636, 653
1922.....	3, 334, 228	14, 157, 929	17, 492, 157
1923.....	878, 856	25, 979, 765	26, 858, 621
1924.....	3, 180, 331	19, 609, 283	22, 789, 614
1925.....	2, 368, 131	22, 562, 464	24, 930, 595
1926.....	2, 318, 857	24, 395, 289	26, 714, 146

The anthracite coal dumped into boats at Lake Erie ports during the calendar year to October 31 aggregated about 2,513,000 net tons in 1926, 1,794,000 in 1925, 2,799,000 tons in 1924, and 2,950,000 tons in 1923.

#### NEW ENGLAND COAL

Receipts of bituminous coal in New England during the 12 months ended October 31, 1926, are estimated as 20,700,000 net tons, compared with 20,522,000, 18,516,000, 24,005,000, and 18,353,000 tons during the 12-month periods ended October 31, 1925, 1924, 1923, and 1922, respectively. For the same periods anthracite receipts approximated 8,500,000 in 1926, 9,800,000 in 1925, 10,925,000 in 1924, and 12,110,000 tons in 1923.

#### GRAIN AND GRAIN PRODUCTS

The loading of grain and grain products during the past 12 months amounted to about 2,442,000 carloads, which compares with 2,322,000 in 1925, 2,554,000 in 1924, and 2,324,000 in 1923.

#### LIVESTOCK

For the 12 months ended October 31 the livestock movement aggregated approximately 1,615,000 carloads in 1926, 1,677,000 in 1925, 1,759,000 in 1924, and 1,760,000 in 1923.

#### FOREST PRODUCTS

The loading of forest products is estimated as 3,680,000, 3,755,000, 3,687,000, and 3,697,000 carloads in the 12-month periods ended October 31, 1926, 1925, 1924, and 1923, respectively.

#### MISCELLANEOUS FREIGHT

New high records were established in the movement of miscellaneous freight. Miscellaneous carload traffic approximated 19,444,000 carloads in the year ended October 31, 1926, compared with 18,620,000, 17,305,000, and 17,207,000 cars in the 12 months ended October 31, in 1925, 1924, and 1923, respectively. Less-than-carload shipments of merchandise and other items aggregated about 13,434,000, 13,132,000, 12,561,000, and 12,054,000 carloads in the same periods ended October 31, 1926, 1925, 1924, and 1923, respectively.

#### REGIONAL ADVISORY BOARDS

In our thirty-seventh annual report we referred to a new development well under way in the organization by the car service division of the American Railway Association of regional advisory boards.

with various committees, for the purpose, among others, of anticipating car requirements and overcoming car service and operating difficulties which can be worked out locally. Each board covers a convenient district, usually embracing from three to six States, and includes in its organization representatives of production, distribution, consumption, and finance as related to transportation of commodities of each district. Thirteen of such boards have been organized and are now functioning. Collectively they embrace the entire country. Each board holds a quarterly meeting at some point within its own district, at which conditions in that district, as well as transportation conditions of the country as a whole, are considered.

While our familiarity with the practical workings of these advisory boards is slight, we believe that the principle of cooperation and mutual understanding is sound.

#### BUREAU OF SAFETY

Except as otherwise specified the report here made is for the year ended June 30, 1926.

The casualties on steam railroads in connection with the operation of trains during the calendar year 1925 are summarized as follows:

Class of persons	Number of persons killed	Number of persons injured
Trespassers.....	2,584	2,688
Employees.....	1,299	32,484
Passengers.....	171	4,952
Persons carried under contract, such as mail clerks, Pullman conductors, etc.....	27	601
Other nontrespassers.....	2,283	7,268
Total.....	6,364	47,993

The corresponding totals for the calendar year 1924 were 6,215 persons killed and 48,371 persons injured.

In addition there were 402 persons killed and 89,442 injured in nontrain accidents in comparison with 402 killed and 95,368 injured in such accidents during the preceding calendar year.

There were 64 employees killed and 1,538 injured in coupling or uncoupling locomotives and cars as compared with 72 killed and 1,592 injured during 1924. Casualties to employees due to coming into contact with fixed structures resulted in 38 killed and 727 injured. There were 70 employees killed and 6,745 injured in getting on or off cars and locomotives.

During the year ended June 30, 1926, 125 cases of violation of safety appliance laws, comprising 370 counts, were transmitted to the United States attorneys for prosecution; cases comprising 655 counts were confessed and 136 dismissed, while 25 counts were tried,



resulting in judgment for the Government on 22 and adversely to the Government on 3. One count decided in favor of the Government was appealed by the defendant and affirmed by the circuit court of appeals. In one count decided adversely to the Government a motion for a new trial has been filed and is still pending. Of the 54 counts awaiting decision last year, 10 were decided in favor of the Government, 3 were dismissed by the court, judgment was indefinitely suspended by the court on 40 counts, and 1 count is still undecided. Two counts pending on appeal last year were decided in favor of the defendant. On June 30, 1926, there were pending in the various district courts 129 cases containing 336 counts.

In *United States v. I-G. N. Ry.*, 9 F. (2d) 142, two flat cars had been delivered to defendant under what is known as a "twin load," the lading being of such length as to require the use of the two cars. The uncoupling levers were disconnected from the adjoining ends of the cars, and the two cars connected by chains in addition to the couplers. After being unloaded the cars were returned to the delivering carrier, a distance of about 2 miles, for the purpose of having the chains removed and the uncoupling levers connected in the usual manner. Suit was brought under the safety appliance acts on this return movement based on the impossibility of uncoupling the cars without requiring men to go between the ends. The District Court for the Southern District of Texas held that the return movement of the two cars to the delivering road under the circumstances was not violative of the safety appliance acts.

In *United States v. T. & N. O. R. R.*, 13 F. (2d) 429, the testimony offered at the trial was to the effect that a switch engine and 27 cars were moved over the main-line track for a distance of about 1 mile, during which cars were set out about every 100 yards to various industries en route. Upon this testimony the District Court for the Southern District of Texas held that this was not a train movement within the meaning of the air-brake provisions of the safety appliance acts.

The commission and its inspectors who witnessed the movement were not advised of the time of trial, and the only witness was one of defendant's officials. His testimony was in direct conflict with that which the inspectors would have given if called to testify.

In *United States v. Illinois Central Railroad Company*, not reported, a locomotive, tender, and 25 freight cars were moved from Council Bluffs, Iowa, to the main yard of the defendant railroad at Omaha, Nebr., the air brakes being used during this movement. Upon arrival in the Omaha yard 7 of the cars were switched out from various parts of the train and the remaining 18 were pushed by the locomotive for an additional distance of 4,500 feet to the freight house without the air brakes being used. This latter move-

ment was over a lead track, several city streets and two lead tracks of other carriers being crossed at grade, all within what the railroad considered one yard, under the control of the yardmaster, and over tracks on which no regular schedule of trains moved. Suit was brought on this 4,500-foot movement, and the District Court for the District of Nebraska held that this was a train movement within the purview of the air-brake provision of the safety appliance acts and rendered judgment for the Government. Upon writ of error the Circuit Court of Appeals for the Eighth Circuit affirmed the judgment of the district court.

There were 37 cases of violation of hours of service laws, comprising 163 counts, transmitted to United States attorneys for prosecution; cases comprising 272 counts were confessed, 129 dismissed, and 10 tried, resulting in judgment for the Government on 6 and adversely to the Government on 4. The motion for a new trial as to 15 counts, which was pending last year, has been denied. On June 30, 1926, there were pending in the various district courts 30 cases containing 169 counts.

The Supreme Court in the *Santa Fe Yardmasters case*, 269 U. S. 266, referred to in our last report, 298 Fed. 549, 3 F.(2d)138, reversed the lower courts, holding that the messages handled by the yardmasters under the circumstances were not orders, and hence in this case the employees were not subject to the hours of service law pertaining to operators.

The tests of power-brake devices forecast in our last report are now being conducted under the auspices of the American Railway Association and witnessed by representatives of our bureau of safety.

Approximately 1,445,000 cars and locomotives were inspected. The number of defects per 1,000 inspected was 40.02. The corresponding record for the preceding year was approximately 1,214,000 inspected, with 42.46 defects per 1,000.

Hours of service reports were filed by 1,124 railroads, of which 772 reported no instances of service of their employees in excess of the limits prescribed by law. The remaining 352 railroads reported a total of 42,200 instances of excess service as compared with 37,497 instances of excess service reported by 360 railroads for the preceding year. This represents a decrease of 2.2 per cent in the number of roads reporting excess service, and an increase of 4,703, or 12.5 per cent, in the total number of instances of excess service reported.

We investigated 104 train accidents, of which 61 were collisions and 43 derailments. The collisions resulted in the death of 114 and the injury of 945 persons; the derailments resulted in the death of 78 and the injury of 666 persons, a total of 192 killed and 1,611 injured.

A detailed report concerning each accident investigated is made public when completed, and summaries of these reports are published quarterly.

The investigation in respect of the formation and development of transverse fissures in steel rails, mentioned in previous reports, has been continued. Railroads and rail manufacturers are actively cooperating with us.

In our last report we called attention to rapid increases during preceding years in the number of accidents at highway grade crossings. During the calendar year 1925 there were 5,479 accidents at highway grade crossings which resulted in the death of 2,206 persons and the injury of 6,555. Automobiles figured in 4,576 of these accidents, 1,784 persons being killed and 5,916 injured. There were 24 derailments of trains as a result of collisions between trains and automobiles, causing the death of 15 persons and the injury of 30. In addition there were 6 derailments of trains as a result of collisions between trains and automobiles but without death or personal injury. For purposes of comparison, corresponding records for the past three years are summarized as follows:

	1923			1924			1925		
	Number	Number of persons killed	Number of persons injured	Number	Number of persons killed	Number of persons injured	Number	Number of persons killed	Number of persons injured
Accidents at highway grade crossings-----	5,218	2,268	6,314	5,127	2,149	6,525	5,479	2,206	6,555
Accidents at highway grade crossings involving automobiles-----	4,007	1,759	5,416	4,145	1,688	5,650	4,576	1,784	5,916
Derailments of trains as a result of collisions between trains and automobiles-----	24	19	77	24	16	69	30	15	30
Automobiles, registered-----	15,092,177	-----	-----	17,591,981	-----	-----	19,954,347	-----	-----

#### MEDALS OF HONOR

The act of February 23, 1905, authorizes the President to bestow bronze metals of honor upon persons who by extreme daring endanger their own lives in saving, or endeavoring to save, lives from any wreck, disaster, or grave accident, or in preventing or endeavoring to prevent, such wreck, disaster, or grave accident upon any railroad within the United States engaged in interstate commerce. During the past fiscal year three applications for award of medals of honor as provided in this act have been filed. One was approved, one denied, and the third is receiving consideration.

Since the passage of this act 41 applications for medals have been filed. Twenty-five have been approved and medals awarded, 15 denied, and, as stated above, one is pending.



On June 21, 1926, amended regulations governing the award of medals of honor were issued.

### BUREAU OF LOCOMOTIVE INSPECTION

The work of this bureau is shown in detail in the report of the chief inspector, published separately. Except as otherwise stated the report here made is for the fiscal year ended June 30, 1926.

The following tables covering the fiscal years indicated are self-explanatory:

TABLE I.—*Locomotive reports and inspections*

	1926	1925	1924	1923	1922
Number of locomotives for which reports were filed.....	69, 173	70, 361	70, 683	70, 242	70, 070
Number inspected.....	90, 475	72, 279	67, 507	63, 657	64, 354
Number found defective.....	36, 354	32, 989	36, 098	41, 150	30, 978
Percentage inspected found defective.....	40	46	53	65	48
Number ordered out of service.....	3, 281	3, 637	5, 764	7, 075	3, 089
Total number of defects found.....	136, 973	129, 239	146, 121	173, 840	101, 734

TABLE II.—*Accidents and casualties caused by failure of some part of the locomotive, including boiler, or tender*

	1926	1925	1924	1923	1922
Number of accidents.....	574	690	1, 005	1, 348	622
Per cent increase or decrease from previous year.....	16. 8	31. 3	25. 5	<sup>1</sup> 117	15. 4
Number of persons killed.....	22	20	66	72	33
Per cent increase or decrease from previous year.....	<sup>1</sup> 10	69. 7	8. 3	<sup>1</sup> 118	48. 4
Number of persons injured.....	660	764	1, 157	1, 560	709
Per cent increase or decrease from previous year.....	13. 6	33. 9	25	<sup>1</sup> 120	11. 3

<sup>1</sup> Increase.

TABLE III.—*Accidents and casualties caused by failure of some part or appurtenance of the locomotive boiler*<sup>1</sup>

	1926	1925	1924	1915	1912
Number of accidents.....	247	274	393	424	856
Number of persons killed.....	18	13	54	13	91
Number of persons injured.....	287	315	447	467	1, 005

<sup>1</sup> The original act applied only to the locomotive boiler.

TABLE IV.—*Derailments and casualties caused by defects in or failure of some part of the locomotive or tender*

	1926	1925	1924	1923	1922
Number of derailments <sup>1</sup> .....	23	22	30	38	22
Number of persons killed.....	2	0	3	4	5
Number of persons injured.....	49	52	112	157	61

<sup>1</sup> Only derailments reported by carriers as being caused by defect in or failure of parts of the locomotive or tender were investigated or counted.

TABLE V.—*Number of casualties classified according to occupation*

	1926		1925		1924		1923		1922	
	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured
Members of train crews:										
Engineers.....	5	210	8	230	19	330	19	484	11	213
Firemen.....	6	230	6	300	22	434	16	597	10	277
Brakemen.....	3	77	2	84	9	102	12	137	7	66
Conductors.....	2	28		25	2	39	1	35		25
Switchmen.....		19		23	1	29	2	32	1	13
Roundhouse and shop employees:										
Boilermakers.....		5		6	1	24	3	19	1	10
Machinists.....		5		13	1	9	2	14		9
Foremen.....		3			1	6	1	6		1
Inspectors.....				2	1	3		2		2
Watchmen.....	1	5	1	3		5	1	6		3
Boiler washers.....		2		5	2	5	1	9		1
Hostlers.....		9		16		14		31		10
Other roundhouse and shop employees.....	1	15		10	6	34	4	29	1	15
Other employees.....	3	10	1	13		16	4	36	2	23
Nonemployees.....	1	42	2	34	1	107	6	123		41
Total.....	22	660	20	764	66	1,157	72	1,560	33	709

All accidents reported to this bureau, as required by law and the rules, were carefully investigated and action taken to prevent recurrences in so far as possible. Copies of accident investigation reports were furnished to parties interested when requested, and otherwise used in an endeavor to bring about a decrease in the number of accidents.

The percentage of locomotives found defective decreased from 46 per cent during the year 1925 to 40 per cent during this year. The condition of the motive power is reflected in the number of accidents and casualties to persons resulting from failure of parts and appurtenances of locomotives and tenders. There were decreases of 16.8 per cent in the number of accidents, 13 per cent in the total number of casualties, and 13.6 per cent in the number of persons seriously injured, but an increase of 10 per cent in the number of persons killed, as compared with the previous year.

One hundred and twenty-six applications were filed for extension of time for removal of flues, as provided in rule 10. Investigation disclosed that in 12 of these cases the condition of the locomotives was such that no extension could properly be granted. Twelve were in such condition that the full extension requested could not be authorized, but an extension for a shorter period was allowed. Twenty extensions were granted after defects disclosed by investigation had been repaired. Thirteen applications were canceled for various reasons, and the remaining 69 were granted for the full period requested.

Under rule 54, 1,860 specification cards and 10,378 alteration reports were filed, checked, and analyzed. These reports are neces-

sary in order to determine whether or not the boilers represented were so constructed or repaired as to render safe and proper service, and whether the stresses were within the allowed limits. Corrective measures were taken in respect of numerous discrepancies found.

Under rule 328 of the rules and instructions for inspection and testing of locomotives other than steam, 274 specification cards and five alteration reports were filed. These were carefully checked and analyzed and corrective measures taken in respect of the discrepancies found.

No prosecutions for violations of the locomotive inspection act were instituted. Three cases previously filed, covering 63 counts, were disposed of by judgment against the carrier in one case, compromise upon payment by the carrier of the penalties sued for in another, and judgment in favor of the carrier in the third case.

Three formal appeals were taken from the decisions of inspectors, two of which were dismissed. Two items were presented in the third. The appeal as to one of the items was dismissed and as to the other sustained.

In conformity with our usage in formulation of rules and instructions, conferences were held with interested parties and a code of rules for inspection and testing of locomotives other than steam was formulated and agreed upon. This code was approved by the commission on December 14, 1925, and became effective July 1, 1926.

#### RAILWAY MAIL PAY

In *Railway Mail Pay*, 104 I. C. C. 521, we affirmed, on reargument, our findings that rates of mail pay were not fair and reasonable during the periods from the dates on which the respective carriers filed applications for reexamination to the dates on which we established increased rates. We also entered orders establishing such increased rates as the fair and reasonable rates to be received for the services rendered by the carriers during the said periods. The principle established in this decision has been followed in subsequent reexaminations.

Hearings have been held as to the reasonableness of the rates of mail pay in connection with 18 short lines in intermountain and Pacific coast territory. This matter has been submitted and is awaiting decision. Upon application of the Postmaster General we reopened the case on June 22, 1926, for reexamination of the rates of pay accorded 12 other short lines in the same territory.

We stated in our last report that upon application of numerous carriers and the Postmaster General the *Railway Mail Pay* case as a whole had been reopened. The interested parties have not completed the preparation of the case for hearing.



### BOARDS OF REFEREES

These boards, created to hear and determine cases brought under the provisions of section 3 of the Federal control act, have been constituted from our staff of employees.

Twenty-eight cases are pending. The plaintiffs in 16 of these cases executed with the Director General of Railroads the so-called co-operative contracts or waivers. Action on motions to dismiss the 16 cases has been deferred awaiting the disposition of proceedings in equity in two test cases instituted in the Supreme Court of the District of Columbia, in which the plaintiffs seek to reform the co-operative and waiver forms of contracts and obtain decrees holding that they are not a bar to claims for unadjusted compensation. Motions to dismiss the remaining 12 cases for lack of prosecution have been filed by the Director General of Railroads, as agent. Hearings on the motions are awaiting the convenience of the parties.

One report was made to the President and five cases were dismissed. No boards were appointed during the year.

### RECOMMENDATIONS

For the reasons stated in this report and in former reports we recommend:

1. That section 1 of the interstate commerce act be amended to provide for the punishment of any person offering or giving to an employee of a carrier subject to the act any money or thing of value with intent to influence his action or decision with respect to car service, and to provide also for the punishment of the guilty employee.

2. That subject to appropriate exceptions the use of steel or steel underframe cars in passenger-train service be required, and that the use in passenger trains of wooden cars between or in front of steel or steel underframe cars be prohibited.

3. That paragraphs (2) to (6), inclusive, of section 5 of the interstate commerce act be amended (a) by omitting therefrom the existing requirement that we adopt and publish a complete plan of consolidation; (b) by making unlawful any consolidation or acquisition of the control of one carrier by another in any manner whatsoever, except with our specific approval and authorization; (c) by giving us broad powers upon application and after hearing to approve or disapprove such consolidations, acquisitions of control, mergers, or unifications in any appropriate manner; (d) by giving us specific authority to disapprove a consolidation or acquisition upon the ground that it does not include a carrier or all or any part of its property which ought to be included in the public interest and which it is possible to include upon reasonable terms; (e) by modifying subparagraph (b) of paragraph (6) so that the

value of the properties proposed to be consolidated can be more expeditiously determined; and (f) by providing that in the hearing and determination of applications under section 5 the results of our investigation in the proceeding on our docket known as No. 12964, *Consolidation of Railroads*, may be utilized in so far as deemed by us advisable.

4. That paragraphs (5) and (6) of section 15a of the interstate commerce act be clarified by amendment.

5. That paragraph (f) of section 19a of the interstate commerce act be clarified by amendment.

6. That section 19 of the merchant marine act, 1920, be amended so that its provisions will clearly not be applicable to the Interstate Commerce Commission, that section 27 of this act be reconsidered by the Congress in the light of this report, and that section 28 of this act be reconsidered by the Congress in the light of the circumstances set forth in the chapter on the effect of this statute appearing at pages 13 and 14 of our thirty-fifth annual report to the Congress. In this connection reference is made to our report dated June 29, 1922, to the chairman of the Committee on Interstate and Foreign Commerce on H. R. 12021, Sixty-seventh Congress, second session.

7. That section 26 of the interstate commerce act be amended by making it the duty of every common carrier designated in that section to furnish all reasonable facilities to the engineers or other employees of the commission for inspection, at any stage, of installations of the safety devices provided for by that section, and for that purpose to furnish such employees, when properly identified, with transportation upon the locomotives or freight trains of the carrier at such reasonable compensation as may be fixed from time to time by the commission.

8. That section 204 of the transportation act, 1920, be so amended as to provide that no carrier shall be entitled to the benefits of that section unless claim therefor shall have been filed by the carrier with the commission within a reasonable time, say six months, after approval of the amendment.

#### STATEMENT OF APPROPRIATIONS AND EXPENDITURES FOR THE FISCAL YEAR ENDED JUNE 30, 1926

An act making appropriations for the executive, etc., approved

Mar. 3, 1925:

For salaries of commissioners-----	\$132,000.00
For salary of secretary-----	7,500.00

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139,509.00

For all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum, of which \$100,000 shall be immediately available:

General -----	2,318,660.00
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To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the act to regulate commerce as amended by the act approved June 29, 1906, and as amended by the transportation act, 1920, including the employment of necessary special accounting agents or examiners:

Accounts ----- \$1,189,250.00

To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with acts to promote the safety of employees and travelers upon railroads; the act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test block-signal and train-control systems and appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906, and the provision of the sundry civil act approved May 27, 1908, including the employment of a chief inspector at \$6,000 per annum, and two assistant chief inspectors at \$5,000 each per annum, and such other inspectors as may be necessary:

Safety ----- 650,000.00

For all authorized expenditures under the provisions of the act of Feb. 17, 1911, "To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," as amended by the act of Mar. 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotive and tender," and amendment of June 7, 1924, providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the act of 1911, including such legal, technical, stenographic, and clerical help as the business of the officers of the chief inspector and his two assistants may require:

Locomotive inspection ----- 450,000.00

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved Feb. 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved Mar. 1, 1913, including one director of valuation, one supervisor of land appraisals, one supervising engineer, and one supervisor of accounts, at \$9,000 each per annum, of which sum \$200,000 shall be immediately available:

Valuation ----- \$1,946,552.00

Amount of payments on account of 1925 fiscal  
year as authorized ----- 63,319.03

----- 1,883,232.97



For all printing and binding for the Interstate Commerce Commission including not to exceed \$10,000 to print and furnish to the States as cost report-form blanks-----	\$160, 000. 00
Total -----	<u>6, 790, 642. 97</u>

Amount expended under appropriations for the fiscal year ended June 30, 1926:

As salaries for commissioners and secretary---	\$139, 000. 00
General -----	2, 144, 325. 62
Accounts -----	924, 194. 04
Safety -----	554, 617. 30
Locomotive inspection-----	421, 072. 57
Valuation -----	1, 593, 830. 36
Printing and binding-----	159, 683. 36
Total-----	<u>5, 936, 723. 25</u>

Unexpended balances of appropriations:

As salaries to commissioners and secretary-----	\$500. 00
General -----	174, 334. 38
Accounts -----	265, 055. 96
Safety-----	95, 382. 70
Locomotive inspection-----	28, 927. 43
Valuation -----	289, 402. 61
Printing and binding-----	316. 64
	<u>853, 919. 72</u>
Total-----	<u>6, 790, 642. 97</u>

JOSEPH B. EASTMAN, *Chairman.*

BALTHASAR H. MEYER.

HENRY C. HALL.

CLYDE B. AITCHISON.

JOHN J. ESCH.

JOHNSTON B. CAMPBELL.

ERNEST I. LEWIS.

FREDERICK I. COX.

FRANK McMANAMY.

THOMAS F. WOODLOCK.

RICHARD V. TAYLOR.



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## APPENDIX A

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### INDICTMENTS RETURNED, INFORMATIONS, COMPLAINTS, AND PETITIONS FILED, AND CASES CONCLUDED

Summary of indictments returned and informations, complaints, and petitions filed between November 1, 1925, and October 31, 1926, inclusive, for violations of the interstate commerce, Elkins, and bills of lading acts.

Summary of cases arising from violations of the above acts concluded between November 1, 1925, and October 31, 1925, inclusive, and sentences imposed.





**SUMMARY OF INDICTMENTS RETURNED AND INFORMATIONS,  
COMPLAINTS, AND PETITIONS FILED BETWEEN NOVEMBER 1,  
1925, AND OCTOBER 31, 1926, INCLUSIVE**

United States *v.* Atlantic Coast Line Railroad Co., New York Central Railroad Co., Pennsylvania Railroad Co., and Richmond, Fredericksburg & Potomac Railroad Co., District Court, Southern Florida, December 11, 1925, indictment charging collecting greater compensation for shorter than for longer distance; 1 count.

United States *v.* Atlantic Coast Line Railroad Co., District Court, Southern Florida, December 11, 1925, indictment charging collecting greater compensation for shorter than for longer distance; 5 counts.

United States *v.* Charles W. Beardmore, District Court, Idaho, May 25, 1926, indictment charging false billing; 20 counts.

United States *v.* Russell Bevans and Thomas Whelan, District Court, Northern California, November 30, 1925, indictment charging unlawful use of pass; 1 count.

United States *v.* Chesapeake & Ohio Railway Company, District Court, Eastern Virginia, August 18, 1926, complaint charging failing to comply with order of the commission; 1 count.

United States *v.* Chicago, Rock Island & Pacific Railway Company, District Court, Eastern Arkansas, October 19, 1926, indictment charging collecting greater compensation for shorter than for longer distance; 5 counts.

United States *v.* Cincinnati, Indianapolis & Western Railroad Company, District Court, Indiana, September 9, 1926, complaint charging failing to comply with order of the commission; 1 count.

United States *v.* Clyde Steamship Company, District Court, Southern New York, May 6, 1926, complaint charging refusing to grant access to records; 1 count.

United States *v.* P. J. Conrad and Bertha Lirette, District Court, Eastern Texas, November 17, 1925, indictment charging unlawful use of pass; 1 count.

United States *v.* Fred W. Coppersmith and C. R. Mallory, District Court, Northern Ohio, November 17, 1925, indictment charging conspiring to use pass unlawfully; 1 count.

United States *v.* Delaware & Hudson Company and Greenwich & Johnsonville Railway Company, District Court, Northern New York, October 1, 1926, information charging collecting greater compensation for shorter than for longer distance; 15 counts.

United States *v.* Milton W. Esneault, District Court, Eastern Louisiana, May 17, 1926, indictment charging falsifying records; 1 count.

United States *v.* Joe Ferandez, District Court, Utah, February 16, 1926, information charging unlawful use of pass; 1 count.

United States *v.* L. Fish Furniture Company, District Court, Northern Illinois, September 29, 1926, indictment charging filing false claims; 10 counts.

United States *v.* Guy R. Foster and Geneva Hicks, District Court, Northern Georgia, September 3, 1926, indictment charging unlawful use of pass; 1 count.

United States *v.* J. A. Hallinan, District Court, Middle Pennsylvania, December 8, 1925, indictment charging forging and altering bills of lading; 5 counts.

United States *v.* Independent Manufacturers' Association and J. Julian Bowman, District Court, Southern Ohio, January 12, 1926, indictment charging filing false claims; 15 counts.

United States *v.* Scab Jamison and F. A. Musselman, District Court, Southern West Virginia, January 19, 1926, indictment charging unlawful use of pass; 1 count.

United States *v.* Fred J. Johnston, District Court, Southern California, May 27, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Paul Kuhn and William True, District Court, Indiana, January 23, 1926, indictment charging filing false claims and aiding and abetting therein; 10 counts.

United States *v.* Margarite Martinez, District Court, Utah, February 16, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Midland Valley Railroad Co., District Court, Eastern Oklahoma, March 26, 1926, complaint charging failing to comply with commission's order; 1 count.

United States *v.* Niagara Falls Smelting & Refining Co., District Court, Western New York, July 15, 1926, indictment charging filing false claim; 1 count.

United States *v.* James Parks, District Court, Northern Ohio, May 12, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Rasmus Pedersen, District Court, Idaho, February 8, 1926, information charging unlawful use of pass; 1 count.

United States *v.* The Pennsylvania Railroad Co., District Court, Western Pennsylvania, March 18, 1926, indictment charging collecting a greater compensation for a shorter than for a longer distance; 10 counts.

United States *v.* George Riffe and Jesse Riffe, District Court, Northern Texas, November 17, 1925, indictment charging filing false claims; 10 counts.

United States *v.* Francisco Romano, District Court, Massachusetts, January 13, 1926, indictment charging unlawful use of pass; 1 count.

United States *v.* Alfred Szafran and Mrs. Frank Wydryk, District Court, Western Pennsylvania, July 20, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Arthur Turner and Arizona Battle, District Court, Nebraska, August 5, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Union Pacific Railroad Co. and American Smelting & Refining Co., District Court, Nebraska, April 23, 1926, petition seeking to restrain enforcement of contract providing for lease of property at unreasonable rental and performance of intraplant switching at less than tariff rates.

United States *v.* Max Zeigler and Albert E. Baur, District Court, Indiana, May 22, 1926, indictment charging false billing; 10 counts.



## SUMMARY OF CASES CONCLUDED IN UNITED STATES DISTRICT COURT BETWEEN NOVEMBER 1, 1925, AND OCTOBER 31, 1926, INCLUSIVE

United States *v.* Atlantic Coast Line Railroad Co., District Court, Southern Florida, indictment charging collecting greater compensation for shorter than for longer distance. March 10, 1926, plea of guilty entered and fine of \$1,000 imposed. Indictment returned December 11, 1925.

United States *v.* Atlantic Coast Line Railroad Co., New York Central Railroad Co., Pennsylvania Railroad Co., and Richmond, Fredericksburg & Potomac Railway Co., District Court, Southern Florida, indictment charging collecting greater compensation for shorter than for longer distance. March 10, 1926, pleas of guilty entered and fine of \$200 imposed upon each defendant. Indictment returned December 11, 1925.

United States *v.* Charles W. Bartels, District Court, Eastern Wisconsin, indictment charging conspiring to use pass unlawfully. December 1, 1925, plea of guilty entered and fine of \$5 imposed. Indictment returned February 25, 1925.

United States *v.* Russell Bevans and Thomas Whelan, District Court, Northern California, indictment charging unlawful use of pass. November 30, 1925, pleas of guilty entered and fine of \$1,000 imposed upon each defendant. Indictment returned November 30, 1925.

United States *v.* Brunswick-Balke-Collender Co., of Tennessee, District Court, Eastern Tennessee, indictment charging false billing. November 27, 1925, plea of guilty entered and fine of \$10,000 imposed. Indictment returned June 25, 1925.

United States *v.* Reading Company, District Court, Eastern Pennsylvania, indictment charging unlawful extension of credit for freight charges. October 11, 1926, motion to dismiss indictment sustained. Indictment returned May 27, 1925.

United States *v.* The Cleveland, Cincinnati, Chicago & St. Louis Railway Co. and Illinois Central Railroad Co., District Court, Eastern Illinois, information charging receiving greater compensation for a shorter than for a longer distance. March 17, 1926, nolle prosequi entered. Information filed July 14, 1925.

United States *v.* P. J. Conrad and Bertha Lirette, District Court, Eastern Texas, indictment charging unlawful use of pass. November 17, 1925, pleas of guilty entered and fine of \$100 imposed upon each defendant. Indictment returned November 17, 1925.

United States *v.* Fred W. Coppersmith and C. R. Mallory, District Court, Northern Ohio, indictment charging conspiring to use pass unlawfully. December 21, 1925, pleas of guilty entered and fine of \$50 imposed upon each defendant. Indictment returned November 17, 1925.

United States *v.* E. S. Cullen, District Court, Western North Carolina, indictment charging accepting concessions and discriminations. October 5, 1926, plea of guilty entered and fine of \$2,000 imposed. Indictment returned October 2, 1923.

United States *v.* E. S. Cullen, District Court, Western North Carolina, indictment charging conspiring to violate Section 1 of the Elkins Act. October 5, 1926, nolle prosequi entered. Indictment returned October 2, 1923.

United States *v.* Milton W. Esneault, District Court, Eastern Louisiana, indictment charging falsifying records. May 20, 1926, plea of guilty entered and sentence to serve 2 years and 1 month in penitentiary imposed. Indictment returned May 17, 1926.

United States *v.* Joe Fernandez, District Court, Utah, information charging unlawful use of pass. February 23, 1926, plea of guilty entered and fine of \$100 imposed. Information filed February 16, 1926.

United States *v.* Guy Foster and Geneva Hicks, District Court, Northern Georgia, indictment charging unlawful use of pass. September 4, 1926, plea of guilty entered on behalf of Foster and fine of \$150 imposed. Indictment returned September 3, 1926.

United States *v.* General Petroleum Corporation, District Court, Southern California, indictment charging false billing. November 16, 1925, plea of nolo contendere entered and fine of \$7,500 imposed. Indictment returned September 10, 1920.

United States *v.* J. A. Hallinan, District Court, Middle Pennsylvania, indictment charging forging and altering bills of lading. June 7, 1926, plea of guilty entered and sentence suspended. Indictment returned December 8, 1925.

United States *v.* John J. Handrigan, District Court, Rhode Island, indictment charging making and uttering, with intent to defraud, false bills of lading. January 18, 1926, nolle prosequi entered. Indictment returned December 6, 1920.

United States *v.* Courtney Hunter, District Court, Eastern North Carolina, indictment charging unlawful use of pass. April 7, 1926, nolle prosequi entered. Indictment returned April 3, 1923.

United States *v.* Independent Manufacturers' Association and J. Julian Bowman, District Court, Southern Ohio, indictment charging filing false claims. January 18, 1926, plea of guilty entered by Bowman and sentenced to serve three and one-half months in jail and pay fine of \$50 imposed. Nolle prosequi entered as to corporation. Indictment returned January 12, 1926.

United States *v.* Scab Jamison and F. A. Musselman, District Court, Southern West Virginia, indictment charging unlawful use of pass. January 20, 1926, plea of guilty entered on behalf of Jamison and sentence to pay fine of \$50 and serve 90 days in jail imposed. June 14, 1926, plea of guilty entered on behalf of Musselman and fine of \$20 imposed. Indictment returned January 19, 1926.

United States *v.* W. N. C. Jenkins, District Court, Eastern Virginia, information charging unlawful use of pass. June 8, 1926, plea of guilty entered and sentence to serve 1 year in jail imposed. Information filed March 14, 1924.

United States *v.* P. Koenig Coal Co., District Court, Eastern Michigan, indictment charging accepting concessions and discriminations. September 20, 1926, plea of guilty entered and fine of \$10,000 imposed. Indictment returned November 20, 1923.

United States *v.* Paul Kuhn and William True, District Court, Indiana, indictment charging filing false claims. February 5, 1926, pleas of guilty entered and fines of \$10,000 upon Kuhn and \$2,000 upon True imposed. Indictment returned January 23, 1926.

United States *v.* L. Booth Larsen, District Court, Eastern Washington, indictment charging false billing. January 11, 1926, plea of guilty entered and fine of \$1,000 imposed. Indictment returned May 19, 1925.

United States *v.* Margarite Martinez, District Court, Utah, information charging unlawful use of pass. February 23, 1926, plea of guilty entered and fine of \$100 imposed. Information filed February 16, 1926.

United States *v.* Michigan Portland Cement Co., District Court, Eastern Michigan, indictment charging accepting concessions and discriminations. September 21, 1926, plea of guilty entered and fine of \$5,000 imposed. Indictment returned November 21, 1923.

United States *v.* Missouri Pacific Railroad Co., District Court, Eastern Missouri, complaint charging failing to comply with commission's order. November 17, 1925, confession of judgment entered and penalty of \$10,000 imposed. Complaint filed July 20, 1925.

United States *v.* James Parks, District Court, Northern Ohio, information charging unlawful use of pass. May 17, 1926, plea of guilty entered and sentence to serve 90 days in workhouse imposed. Information filed May 12, 1926.

United States *v.* Rasmus Pedersen, District Court, Idaho, information charging unlawful use of pass. March 6, 1926, plea of guilty entered and fine of \$150 imposed. Information filed February 8, 1926.

United States *v.* Pennsylvania Railroad Co., District Court, Eastern Pennsylvania, complaint charging violations of commission's service order No. 23. April 12, 1926, confession of judgment entered and penalty of \$7,000 imposed. Complaint filed January 17, 1924.

United States *v.* Philadelphia & Reading Railway Co., District Court, Eastern Pennsylvania, indictment charging failure to observe published tariffs. July 27, 1926, nolle prosequi entered. Indictment returned June 10, 1916.

United States *v.* Philadelphia & Reading Railway Co., District Court, Eastern Pennsylvania, indictment charging engaging in transportation without tariff on file. July 27, 1926, nolle prosequi entered. Indictment returned June 10, 1916.

United States *v.* George Riffe and Jesse Riffe, District Court, Northern Texas, indictment charging filing false claims. November 23, 1925, pleas of guilty entered and fine of \$500 imposed upon each defendant. Indictment returned November 17, 1925.

United States *v.* Alfred Szafran and Mrs. Frank Wydryk, District Court, Western Pennsylvania, information charging unlawful use of pass. July 27, 1926, pleas of guilty entered and fine of \$100 imposed upon each defendant. Information filed July 20, 1926.

United States *v.* Anton Tauro, District Court, Utah, indictment charging unlawful use of pass. November 7, 1925, plea of guilty entered. November 23, 1925, fine of \$100 imposed. Indictment returned October 17, 1925.

United States *v.* Arthur Turner and Arizona Battle, District Court, Nebraska, information charging unlawful use of pass. August 6, 1926, pleas of guilty entered and fine of \$100 imposed upon each defendant. Information filed August 5, 1926.

United States *v.* Utah Oil Refining Co., District Court, Southern California, indictment charging accepting concessions. November 16, 1925, plea of nolo contendere entered and fine of \$7,500 imposed. Indictment returned September 10, 1920.

United States *v.* C. C. Whitnack Produce Co. and C. C. Whitnack, District Court, Nebraska, indictment charging false billing. December 10, 1925, pleas of nolo contendere entered and fine of \$250 imposed upon each defendant. Indictment returned May 22, 1925.

United States *v.* Max Zeigler and Albert E. Baur, District Court, Indiana, indictment charging false billing. June 14, 1926, pleas of guilty entered and fines of \$1,000 upon Zeigler and \$500 upon Baur imposed. Indictment returned May 22, 1926.





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## APPENDIX B

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SUMMARIES SHOWING ACTION TAKEN SINCE THE  
PERIOD COVERED BY THE LAST ANNUAL REPORT  
WITH RESPECT TO CASES INVOLVING ORDERS OR  
REQUIREMENTS OF THE COMMISSION AND STATUS  
ON OCTOBER 31, 1926, OF CASES PENDING IN THE  
COURTS





## CASES DECIDED BY THE COURTS SINCE OCTOBER 31, 1925

### SUPREME COURT OF THE UNITED STATES

*Chicago, Indianapolis & Louisville Railway Co. et al., appellants, v. United States of America and Interstate Commerce Commission, appellees.*

Suit in equity to annul and set aside the commission's order of April 2, 1924, in Docket No. 13205, requiring the removal of unjust discrimination and undue prejudice found to result from the refusal of the appellants to switch interstate carload traffic moving over the line of the Chicago, Lake Shore & South Bend Railway Co., called the South Shore, to and from Michigan City, Ind., and from the failure and refusal of the appellants to enter into arrangements for the performance of reciprocal switching of interstate carload traffic in connection with the South Shore at Michigan City, while contemporaneously participating in such arrangements with each other at that point. 88 I. C. C. 525.

On July 8, 1924, the interlocutory injunction asked for was denied, and on March 1, 1926, the decree of the lower court was affirmed and the order of the commission sustained.

*The United States of America, ex rel. Abilene and Southern Railway Co., appellant, v. Interstate Commerce Commission, appellee.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit for the first six months of 1918, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 72 I. C. C. 333 and 79 I. C. C. 547.

On January 13, 1925, the petition was dismissed by the Supreme Court of the District of Columbia, and on November 2, 1925, the judgment of the lower court was affirmed by the Court of Appeals of the District of Columbia. On January 30, 1926, the case was docketed in the Supreme Court on motion for writ of certiorari, and on March 15, 1926, the writ was denied.

*Donner Steel Co., Inc., appellant, v. The Interstate Commerce Commission, appellee.*

A proceeding at law requesting the issuance of a writ of certiorari requiring the commission to certify to the court the record and proceedings in a case wherein the commission dismissed the claim of the company for reparation against certain carriers, and also requesting the court to review the record and proceedings and to take such further action as to the court may seem just and proper. 57 I. C. C. 745 and 92 I. C. C. 595.

On February 6, 1925, the commission's motion to dismiss was granted by the Supreme Court of the District of Columbia, and on November 2, 1925, the judgment of the lower court was affirmed by the Court of Appeals of the District of Columbia. On February 1, 1926, the case was docketed in the Supreme Court on motion for writ of certiorari, and on March 15, 1926, the writ was denied.

*The State of Colorado, appellant, v. United States of America, The Interstate Commerce Commission, et al., appellees.*

Suit in equity to enjoin and set aside the commission's certificate and order of February 11, 1924, in Finance Docket No. 1572, in so far as it authorizes abandonment in intrastate commerce of a line of railroad of the Colorado & Southern Railway Co. 86 I. C. C. 393.

On August 19, 1924, the preliminary and permanent injunctions asked for and motion for stay of commission's order pending appeal were denied and petition dismissed, and on May 3, 1926, the decree of the lower court was affirmed and the order of the commission sustained.

*Western Paper Makers' Chemical Co. and Tanglefoot Co., appellants v. United States of America and Interstate Commerce Commission, appellees.*

Suit in equity to enjoin and set aside the commission's orders of March 5, 1924, and June 18, 1924, in the *Naval Stores case*, I. & S. No. 1900, in so far as they relate to rates on rosin from points south of the Ohio River to Kalamazoo and Grand Rapids, Mich. 87 I. C. C. 740 and 89 I. C. C. 634.

On October 28, 1924, the injunction asked for was denied and on May 24, 1926, the decree of the lower court was affirmed and the orders of the commission sustained.

*Home Furniture Company, appellant, v. The United States of America, Interstate Commerce Commission, et al., appellees.*

Suit in equity to set aside the commission's order of September 30, 1924, in Finance Docket No. 4164, authorizing the Southern Pacific to obtain control of the El Paso & Southwestern system by purchase of stock and bonds and through leases. 90 I. C. C. 732.

On January 10, 1925, the petition was dismissed for lack of jurisdiction, and on June 1, 1926, the decree of the lower court was affirmed.

*United States, ex rel. Cripple Creek and Colorado Springs Railroad Company, a corporation, appellants, v. Interstate Commerce Commission, appellee.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 30, 1918, to July 14, 1919, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 82 I. C. C. 129 and 90 I. C. C. 271.

On March 30, 1925, the petition was dismissed by the Supreme Court of the District of Columbia, and on March 1, 1926, the judgment of the lower court was affirmed by the Court of Appeals of the District of Columbia. On June 19, 1926, the case was docketed in the Supreme Court on motion for writ of certiorari, and on October 18, 1926, the writ was denied.

#### DISTRICT COURTS OF THE UNITED STATES

*Bethlehem Steel Co., Bethlehem Mines Corporation, and Bethlehem Steel Corporation, petitioners, and Illinois Steel Co., et al., The Steel Co. of Canada, Ltd., et al., and The Youngstown Sheet & Tube Co., intervening petitioners, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Pennsylvania.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court of the United States.

*Berwind-White Coal Mining Co., Westmoreland Coal Co., New River & Pocahontas Consolidated Coal Co., and Pennsylvania Coal & Coke Corporation, complainants, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Pennsylvania.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court of the United States.

*Ratney-Wood Coke Co., Seaboard By-Product Coke Co., Chicago By-Product Coke Co., and Donner-Hanna Coke Corporation, complainants, v. United States of America and Interstate Commerce Commission, defendants.* Eastern District of Pennsylvania.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court of the United States.

*Akron, Canton & Youngstown Railway, et al., plaintiffs, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Pennsylvania.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court of the United States.

*Public Service Electric and Gas Co., plaintiff, v. The United States of America and Interstate Commerce Commission, defendants.* Eastern District of Pennsylvania.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court of the United States.

*The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, petitioners, v. United States, J. K. Dering Coal Company, Illinois Central Railroad Company and Southern Illinois Railway and Power Company, defendants, and Interstate Commerce Commission, intervening defendant.* Northern District of Illinois.

Suit in equity to set aside the commission's order of February 7, 1925, 96 I. C. C. 143, as affirmed by its order of March 1, 1926, 109 I. C. C. 55, requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Co. to install a switch connection between its line near El Dorado, Ill., and a track which serves and was constructed by the Dering Coal Company.

On April 17, 1926, the interlocutory injunction was denied, and on April 24, 1926, the bill was dismissed on final hearing. On July 27, 1926, the case was appealed to the Supreme Court of the United States.

*Brimstone Railroad & Canal Company, petitioner, v. United States of America, Louisiana Western Railroad Company and Kansas City Southern Railway Company, defendants, and Interstate Commerce Commission, intervening defendant.* Western District of Louisiana.

Suit in equity to set aside the commission's order of December 14, 1925, fixing divisions on freight traffic between the Brimstone Railroad & Canal Co. on the one hand and the Louisiana Western Railroad Co. and the Kansas City Southern Railway Co. on the other hand. 68 I. C. C. 375, 88 I. C. C. 62, and 104 I. C. C. 415.

On February 15, 1926, the petition was filed, and on May 22, 1926, the injunction asked for was granted.

*Missouri Pacific Railroad Company, petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Arkansas.

Suit in equity to set aside the commission's order of March 2, 1926, in Docket No. 13850-Sub. No. 1, requiring the Missouri Pacific and other carriers to establish through routes and joint rates, applicable via the line of the Fort Smith, Subiaco & Rock Island Railroad Co., on traffic moving under class and commodity rates between points of origin and destination named in certain Southwestern Lines Tariffs. 107 I. C. C. 523.

On April 10, 1926, the petition was filed, and on May 28, 1926, the preliminary injunction asked for was granted.

*New York, Ontario and Western Railway Company, petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Southern District of New York.

Suit in equity to annul the commission's orders of October 20, 1925, and January 15, 1926, and the proceedings had pursuant thereto, reopening the *New York, Ontario and Western Valuation* case for the introduction of additional evidence.

On June 1, 1926, the petition was dismissed, and on August 10, 1926, the case was appealed to the Supreme Court of the United States.



*Los Angeles & Salt Lake Railroad Co., petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Southern District of California, Southern Division.

Suit in equity to set aside an order of the commission dated June 7, 1923, in Valuation Docket No. 26, *San Pedro, Los Angeles & Salt Lake Railroad Co.* 75 I. C. C. 463.

On December 7, 1925, the injunction asked for was granted, and on May 29, 1926, the case was appealed to the Supreme Court of the United States.

#### COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

*The United States of America, ex rel. Abilene and Southern Railway Company, appellant, v. Interstate Commerce Commission, appellee.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit for the first six months of 1918, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 72 I. C. C. 333 and 79 I. C. C. 547.

On January 13, 1925, the petition was dismissed by the Supreme Court of the District of Columbia, and on November 2, 1925, the judgment of the lower court was affirmed. On January 30, 1926, the case was docketed in the Supreme Court of the United States on motion for writ of certiorari, and on March 15, 1926, the writ was denied.

*Donner Steel Company, Inc., appellant, v. The Interstate Commerce Commission, appellee.*

A proceeding at law requesting the issuance of a writ of certiorari requiring the commission to certify to the court the record and proceedings in a case wherein the commission dismissed the claim of the company for reparation against certain carriers, and also requesting the court to review the record and proceedings and to take such further action as to the court may seem just and proper. 57 I. C. C. 745 and 92 I. C. C. 595.

On February 6, 1925, the commission's motion to dismiss was granted by the Supreme Court of the District of Columbia, and on November 2, 1925, the judgment of the lower court was affirmed. On February 1, 1926, the case was docketed in the Supreme Court of the United States on motion for writ of certiorari, and on March 15, 1926, the writ was denied.

*United States, ex rel. Cripple Creek and Colorado Springs Railroad Company, a Corporation, v. Interstate Commerce Commission.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 30, 1918, to July 14, 1919, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 82 I. C. C. 129 and 90 I. C. C. 271.

On March 30, 1925, the petition was dismissed by the Supreme Court of the District of Columbia, and on March 1, 1926, the judgment of the lower court was affirmed. On June 19, 1926, the case was docketed in the Supreme Court of the United States on motion for writ of certiorari, and on October 18, 1926, the writ was denied.

#### SUPREME COURT OF THE DISTRICT OF COLUMBIA

*The United States, ex rel. Minneapolis, Northfield & Southern Railway, v. Interstate Commerce Commission.*

Petition for a writ of mandamus to compel the commission to certify to the Secretary of the Treasury the sum of \$29,946.31 as due and owing to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 763.

On December 9, 1925, the petition was filed, and on March 9, 1926, the rule to show cause was discharged and the petition was dismissed.

*The United States of America, ex rel. Fort Dodge, Des Moines and Southern Railroad Company, v. Interstate Commerce Commission.*

Petition for writ of mandamus to compel the commission to appoint a board of referees to determine the carrier's compensation for the guaranty period covered by section 209 of the transportation act, 1920. 94 I. C. C. 512.

On June 14, 1926, the petition for writ of mandamus was granted, and on September 1, 1926, the case was appealed to the Court of Appeals of the District of Columbia.

*United States of America, ex rel. Mantou & Pike's Peak Railway Company, v. Interstate Commerce Commission.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 29, 1918, to February 29, 1920, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 767.

On January 18, 1926, the petition was filed, and on June 14, 1926, the writ of mandamus was denied and the petition dismissed.

### CASES DISMISSED BY DISTRICT COURTS FOR WANT OF PROSECUTION

*Frank W. Shealy et al., as Railroad Commissioners of South Carolina, petitioners, v. The United States of America, Atlantic Coast Line Railroad Co. et al., defendants, and Interstate Commerce Commission, intervening defendant.* Eastern District of South Carolina.

Suit in equity to set aside an order of the commission requiring increases in certain intrastate rates, fares, and charges in the State of South Carolina. 60 I. C. C. 290.

On March 16, 1921, the injunction asked for was denied, and on January 5, 1926, the bill of complaint was dismissed and the case stricken from the docket of the court.

*Eastern Texas Railroad Co. et al., plaintiffs, v. Railroad Commission of Texas et al., defendants.* Western District of Texas.

Suit in equity to enjoin prosecution by Railroad Commission of Texas and others of suits based upon charging by carriers of rates published in compliance with an order entered by the Interstate Commerce Commission in the *Shreveport case*. United States and Interstate Commerce Commission made parties to suit by amended answer in the nature of a cross bill filed by Railroad Commission of Texas. 41 I. C. C. 83.

Application of the Texas commission for an injunction against order of Interstate Commerce Commission denied; application of carriers for injunction to restrain Texas commission from interfering with carriers' compliance with order of Interstate Commerce Commission granted.

On March 6, 1926, the petition, and cross bill of Texas commission making United States and Interstate Commerce Commission parties, were dismissed.

*State of Nebraska, plaintiff, v. United States of America, Walker D. Hines, Director General of Railroads of the United States, et al., defendants, and the Interstate Commerce Commission, intervening defendant.* Western District of Missouri.

Suit in equity to set aside an order of the commission in the case of *South St. Joseph Livestock Exchange v. Chicago, Burlington & Quincy Railroad Co., and the Director General of Railroads*, and the case of *Kansas City Livestock Exchange v. the same defendants*, requiring the removal of a discrimination which resulted from the granting of free return transportation to caretakers accompanying intrastate shipments of livestock from points on the Chicago, Burlington & Quincy Railroad in Nebraska to Omaha, Nebr., while refusing to grant such transportation in connection with interstate shipments of livestock from the same points of origin to St. Joseph and Kansas City, Mo. 53 I. C. C. 114.

On October 24, 1919, the commission filed its answer and motion to dismiss, and, according to advice of April 29, 1926, the case was dismissed for want of prosecution.

*Birmingham Southern Railroad Co., petitioner, v. The United States of America, Interstate Commerce Commission, et al., defendants.* Northern District of Alabama.

Suit in equity to set aside an order of the commission requiring certain carriers, on or before July 14, 1921, to establish rules for the adjustment of charges for the use and detention of cars which shall conform with those found reasonable by the commission. 61 I. C. C. 551.



On July 13, 1921, the injunction asked for was denied, and, according to advice of March 26, 1926, a decree dismissing the petition was entered from which no appeal was taken.

## CASE DISMISSED ON MOTION OF COMPLAINANTS

### SOUTHERN DISTRICT OF IOWA, CENTRAL DIVISION

*W. H. Bremner, as Receiver of The Minneapolis & St. Louis Railroad Company, and The Minneapolis & St. Louis Railroad Company, complainants, v. United States of America, defendant.*

Suit in equity to annul and set aside the commission's order of December 22, 1922, in Docket No. 13110, in so far as it operates as a revocation of the commission's order of April 13, 1922, directing the Peoria & Pekin Union Railway Co. to remove the unjust discrimination and undue prejudice found to exist with respect to certain intermediate switching charges at Peoria and East Peoria, Ill. 68 I. C. C. 412 and 77 I. C. C. 43.

On October 29, 1925, the bill of complaint was filed, and on February 3, 1926, the case was dismissed on motion of counsel for the carriers.

## CASES PENDING IN THE COURTS, OCTOBER 31, 1926

### SUPREME COURT OF THE UNITED STATES

*The Chicago, Rock Island and Pacific Railway Co. and St. Louis-San Francisco Railway Co., appellants, v. United States of America and Interstate Commerce Commission, appellees.*

Suit in equity to set aside the commission's order of March 9, 1925, as modified March 28 and April 29, 1925, in Docket No. 13418, requiring the establishment of joint rail-and-water and rail-water-and-rail rates on cotton from points in Oklahoma, via Galveston, Texas, to points in New England territory. 87 I. C. C. 392 and 93 I. C. C. 268.

On May 24, 1925, the bill of complaint was filed, and on June 9, 1925, the bill was dismissed. On July 30, 1925, the case was appealed to the Supreme Court.

*The Virginian Railway Company, appellant, v. The United States of America, The Interstate Commerce Commission, and The Chesapeake and Ohio Railway Company, appellees.*

Suit in equity to set aside the commission's order of March 10, 1925, as amended by its order of May 19, 1925, in Dockets Nos. 14454 and 13832, requiring the establishment of reasonable and nonprejudicial rates on coal, in carloads, from mines on the Virginian Railway in the New River district of West Virginia to interstate destinations in C. F. A. territory. 96 I. C. C. 359 and 98 I. C. C. 488.

On September 19, 1925, the injunction asked for was denied, and on January 27, 1926, the case was appealed to the Supreme Court.

*The United States of America and Interstate Commerce Commission, appellants, v. The New York Central Railroad Company, appellee.*

Suit in equity to set aside the commission's order of December 9, 1924, in Docket No. 14777, requiring the New York Central to operate at Buffalo tracks connecting its main line with the Erie Basin Barge Canal. 95 I. C. C. 119.

On August 31, 1925, the injunction asked for was granted, and on January 29, 1926, the case was appealed to the Supreme Court.

*The United States of America and Interstate Commerce Commission, appellants, v. Los Angeles & Salt Lake R. R. Co., appellee.*

Suit in equity to set aside an order of the commission dated June 7, 1923, in Valuation Docket No. 26, *San Pedro, Los Angeles & Salt Lake R. R. Co.* 75 I. C. C. 463.

On December 7, 1925, the injunction asked for was granted, and on May 29, 1926, the case was appealed to the Supreme Court.

*United States of America and Interstate Commerce Commission, appellants, v. Bethlehem Steel Co., Bethlehem Mines Corporation, Bethlehem Steel Corporation, Illinois Steel Co. et al., The Steel Co. of Canada, Ltd., et al., and The Youngstown Sheet and Tube Co., appellees.*

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.



On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court.

*United States of America and Interstate Commerce Commission, appellants, v. Berwind-White Coal Mining Co., Westmoreland Coal Co., New River & Pocahontas Consolidated Coal Co., and Pennsylvania Coal and Coke Corporation, appellees.*

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court.

*United States of America and Interstate Commerce Commission, appellants, v. Rainey-Wood Coke Co., Seaboard By-Product Coke Co., and Donner-Hanna Coke Corporation, appellees.*

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court.

*United States of America and Interstate Commerce Commission, appellants, v. Akron, Canton & Youngstown Railway et al., appellees.*

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court.

*United States of America and Interstate Commerce Commission, appellants, v. Public Service Electric and Gas Co., appellees.*

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on February 8, 1926, the case was appealed to the Supreme Court.

*The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, appellant, v. United States, J. K. Dering Coal Company, Illinois Central Railroad Company, Southern Illinois Railway and Power Company, and Interstate Commerce Commission, appellees.*

Suit in equity to set aside the commission's order of February 7, 1925, 96 I. C. C. 143, as affirmed by its order of March 1, 1926, 109 I. C. C. 55, requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Co. to install a switch connection between its line near El Dorado, Ill., and a track which serves and was constructed by the Dering Coal Co.

On April 17, 1926, the interlocutory injunction was denied, and on April 24, 1926, the bill was dismissed on final hearing. On July 27, 1926, the case was appealed to the Supreme Court of the United States.

*New York, Ontario & Western Railway Company, appellant, v. The United States of America and Interstate Commerce Commission, appellees.*

Suit in equity to annul the commission's orders of October 20, 1925, and January 15, 1926, and the proceedings had pursuant thereto, reopening the *New York, Ontario & Western Valuation case* for the introduction of additional evidence.

On June 1, 1926, the petition was dismissed, and on August 10, 1926, the case was appealed to the Supreme Court of the United States.

#### DISTRICT COURTS OF THE UNITED STATES

*The State of Iowa et al., plaintiffs, v. The United States, Interstate Commerce Commission et al., defendants.* Southern District of Iowa, Central Division.

Suit in equity to set aside an order of the commission in Docket No. 11761, requiring increases in certain intrastate fares and charges in the State of Iowa. 60 I. C. C. 55.

Pending hearing.

*Pittsburgh & Shawmut Coal Co., Title Guarantee & Trust Co., and J. J. Jermyn, complainants, v. The Delaware & Northern Railroad Co., defendant.* Northern District of New York.

Petition and order to show cause why the receivers of the property of the Delaware & Northern should not be permitted to abandon the operation of the property of that company for common-carrier purposes, and to sell the property and distribute the proceeds of the sale to creditors and stockholders.

On May 17, 1923, the application was denied.

Pending further action.

*The State of North Dakota ex rel. William Lemke, Attorney General, plaintiff, v. United States of America, Interstate Commerce Commission, Chicago & North Western Railway Co., et al., defendants.* District of North Dakota, Southeastern Division.

Suit in equity to set aside an order of the commission in Ex Parte 74, in so far as it relates to surcharges upon passengers riding in Pullman and in parlor cars in interstate commerce in North Dakota. 58 I. C. C. 220.

Pending hearing.

*The Baltimore & Ohio Railroad Co. et al., plaintiffs, v. United States of America, The New York Central Railroad Co., et al., defendants, and Interstate Commerce Commission, intervening defendant.* Northern District of Illinois, Eastern Division.

Suit in equity to set aside an order of the commission granting permission to the New York Central Railroad Co. to purchase the stock of Chicago River & Indiana Railroad Co., and granting to the latter permission to lease the properties of the Chicago Junction Railway Co. 71 I. C. C. 631.

On June 27, 1923, the injunction asked for was denied, motions of certain defendants to dismiss sustained, and bill dismissed. On March 3, 1924, the decree of the lower court was reversed in so far as it sustained the motions to dismiss, and on April 8, 1924, the case was remanded to the lower court for further proceedings. 264 U. S. 258.

Pending further action.

*Laclede-Christy Clay Products Co. et al., plaintiffs, v. The United States of America et al., defendants, and Interstate Commerce Commission, intervening defendant.* Northern District of Illinois, Eastern Division.

Suit in equity to set aside commission's order of February 5, 1924, in Docket No. 14249, requiring the removal of undue prejudice found to exist between rates on brick to Chicago and points taking Chicago rates from Ottawa, Ill., on the one hand, and rates to the same destination from the St. Louis district on the other hand. 87 I. C. C. 523.

On May 16, 1924, the restraining order and temporary injunction asked for was denied.

Pending final decree.

*State of Texas v. United States and New Orleans, Texas & Mexico Railway Co.* Eastern District of Louisiana.

Suit in equity to annul and set aside the commission's order of June 12, 1924, in Finance Docket No. 3473, conditionally authorizing the New Orleans, Texas & Mexico Railway Co. to acquire control of the International-Great Northern Railroad Co. by purchase of its capital stock. 90 I. C. C. 262.

On June 19, 1924, the petition was filed.

Pending hearing.

*The Delaware & Hudson Co., petitioner, v. The United States, respondent, and Interstate Commerce Commission, intervening respondent.* Southern District of New York.

Suit in equity to annul and set aside the commission's orders of June 13, 1922, December 26, 1922, and July 18, 1924, in Docket No. 13413, *In the Matter of Automatic Train-Control Devices*. 69 I. C. C. 258 and 91 I. C. C. 426.

On December 30, 1924, the petition was filed, and on May 26, 1925, the court granted an injunction against making effective date of amended order less than two years from date of amendment, but otherwise upheld the validity of the order.

*The Kansas City Southern Railway Co., plaintiff, v. The United States, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Missouri, Western Division.

Suit in equity to annul and set aside the commission's orders of June 13, 1922, December 26, 1922, and July 18, 1924, in Docket No. 13413, *In the Matter of Automatic Train-Control Devices*. 69 I. C. C. 258 and 91 I. C. C. 426.

On December 31, 1924, the petition was filed.

Pending hearing.

*Ford Motor Co., a Delaware Corporation, and Fordson Coal Co., a Delaware Corporation, plaintiffs, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Kentucky.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On February 26, 1925, the petition was filed, and on June 6, 1925, the case was argued and submitted for decision.

*Jefferson Island Salt Mining Co., Myles Salt Co., plaintiffs, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Northern District of Ohio.

Suit in equity to set aside the commission's orders of October 14, 1924, in Dockets Nos. 14106, 14025, and 14157, in so far as they prescribe minimum rates on salt in carloads from Louisiana salt mines to Chicago, St. Louis, Cincinnati, Louisville, and Indianapolis, and from New York, Michigan, and Kansas mines to the same points. 92 I. C. C. 388.

On April 16, 1925, the petition was filed, and on May 19, 1925, the injunction asked for was denied and the bill dismissed.

*The Chicago, Rock Island and Pacific Railway Co. and St. Louis-San Francisco Railway Co., plaintiffs, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Louisiana.

Suit in equity to set aside the commission's order of June 26, 1925, in Docket No. 13736, requiring the establishment of joint rail-and-water and rail-water-and-rail rates on cotton from points in Oklahoma via New Orleans, La., to points in New England territory. 95 I. C. C. 77.

On July 27, 1925, the bill of complaint was filed.

Pending hearing.

*The Kansas City Southern Railway Company et al. v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Missouri.

Suit in equity to set aside orders of the commission dated July 1, 1919, and March 4, 1924, in Valuation Docket No. 4, *The Kansas City Southern Railway Company et al.* 75 I. C. C. 223 and 84 I. C. C. 113.

On January 20, 1926, the petition was filed, and on March 29-30, 1926, the case was argued and submitted for decision.

*Brimstone Railroad & Canal Company, petitioner, v. United States of America, Louisiana Western Railroad Company, and Kansas City Southern Railway Company, defendants, and Interstate Commerce Commission, intervening defendant.* Western District of Louisiana.

Suit in equity to set aside an order of the commission dated December 14, 1925, fixing divisions on freight traffic between the Brimstone Railroad & Canal Company on the one hand and the Louisiana Western Railroad Company and the Kansas City Southern Railway Company on the other hand. 68 I. C. C. 375, 88 I. C. C. 62, and 104 I. C. C. 415.

On February 15, 1926, the petition was filed, and on May 22, 1926, the injunction asked for was granted.

*Missouri Pacific Railroad Company, petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Arkansas.

Suit in equity to set aside the order of the commission in *Fort Smith, Subiaco & Rock Island Railroad Company v. Alabama & Vicksburg Railway Company et al.*, 107 I. C. C. 523, requiring the Missouri Pacific and other carriers to



establish through routes and joint rates, applicable via the line of the Fort Smith, Subiaco & Rock Island Railroad Company; on traffic moving under class and commodity rates between points of origin and destination named in certain Southwestern Lines Tariffs.

On April 10, 1926, the petition was filed, and on May 28, 1926, the injunction asked for was granted.

*Brooklyn Eastern District Terminal, petitioner, v. The United States, respondent, and Interstate Commerce Commission, intervening respondent.* Southern District of New York.

Suit in equity to annul and set aside the report, findings, and orders of the commission in Finance Docket No. 3644, *Excess Income of Brooklyn Eastern District Terminal*. 94 I. C. C. 577.

On July 6, 1926, the petition was filed.

Pending hearing.

*West Virginia Northern Railroad Company, petitioner, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Eastern District of Pennsylvania.

Suit in equity to annul the commission's order of April 23, 1926, fixing the final value of the property of the West Virginia Northern Railroad Company as of June 30, 1918. 110 I. C. C. 385.

On August 27, 1926, the petition was filed, and on September 8, 1926, the case was argued and submitted for decision.

Pending decision.

*F. C. Wallower and Harrison C. Rogers, Receivers for the Southwest Missouri Railroad Company, and the Southwest Missouri Railroad Company, petitioners, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Missouri.

Suit in equity to set aside the commission's order of June 8, 1926, 113 I. C. C. 179, Docket No. 16901, requiring the Southwest Missouri to cancel its tariff I. C. C. No. 12, which provides for certain absorptions on account of drayage of ore shipped in carloads from points in Oklahoma to points in other States.

On October 2, 1926, the petition was filed, and on October 16, 1926, the case was argued and submitted for decision.

*Carnegie Steel Company, plaintiff, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant.* Western District of Pennsylvania.

Suit in equity to set aside the commission's amended order of June 4, 1925, 107 I. C. C. 676, Docket No. 15239, in so far as it denies to the Carnegie Steel Company reparation on certain shipments of coal transported from points in Kentucky, Virginia, and West Virginia to Clairton, Pa.

On October 18, 1926, the bill of complaint was filed.

Pending hearing.

#### COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

*Interstate Commerce Commission, appellant, v. The United States of America, ex rel. Fort Dodge, Des Moines and Southern Railroad Company, appellee.*

Petition for writ of mandamus to compel the commission to appoint a board of referees to determine the carrier's compensation for the guaranty period covered by section 209 of the transportation act, 1920. 94 I. C. C. 512.

On June 14, 1926, the petition for writ of mandamus was granted by the Supreme Court of the District of Columbia, and on September 1, 1926, the case was appealed to the Court of Appeals.

#### SUPREME COURT OF THE DISTRICT OF COLUMBIA

*The United States ex rel. Minneapolis, Northfield & Southern Railway v. Interstate Commerce Commission.*

Petition for writ of mandamus to compel the commission to certify to the Secretary of the Treasury the sum of \$29,946.31 as due and owing to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 763.

On December 9, 1925, the petition was filed, and on March 9, 1926, the rule to show cause was discharged and the petition dismissed.

*United States of America ex rel. Manitou & Pikes Peak Railway Company v. Interstate Commerce Commission.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 29, 1918, to February 29, 1920, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 767.

On January 18, 1926, the petition was filed, and on June 14, 1926, the writ of mandamus was denied and the petition dismissed.

*United States of America ex rel. United Railway Company, a Corporation, plaintiff, v. Interstate Commerce Commission, respondent.*

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit for the Federal-control period and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 86 I. C. C. 661.

On March 16, 1926, the petition was filed, and on March 25, 1926, the answer of the commission was filed.





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## APPENDIX C

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### STATISTICAL SUMMARIES

- A. Statistics of Railway Development since 1908.
- B. Statistics from Monthly and other Periodical Reports of Carriers.



## A. STATISTICS OF RAILWAY DEVELOPMENT

In the following tables slight adjustments have been made in some of the figures heretofore published, in order to allow as fully as possible for changes in methods of compilation. It should be observed also that the figures in this section for the last calendar year are based on special and preliminary compilations, made mostly from annual reports of railway companies, and are subject to changes necessitated by subsequent corrections in returns or otherwise.

TABLE I.—*Mileage operated and mileage owned by steam railways in the United States, not including switching and terminal companies, 1908–1925*

Year ended—	Miles of road owned in the United States <sup>1</sup>	Mileage operated by railways of Classes I, II, and III (including trackage rights)			
		Miles of road	Miles of second or additional main tracks	Miles of yard track and sidings	Miles of all tracks
June 30—					
1908.....	233, 468	230, 494	23, 699	79, 453	333, 646
1909.....	236, 834	235, 402	24, 573	82, 377	342, 352
1910.....	240, 293	240, 831	25, 354	85, 582	351, 767
1911.....	243, 979	246, 238	27, 612	88, 974	362, 824
1912.....	246, 777	249, 852	29, 367	92, 019	371, 238
1913.....	249, 777	253, 470	30, 827	95, 211	379, 508
1914.....	252, 105	256, 547	32, 376	98, 285	387, 208
1915.....	253, 789	257, 569	33, 662	99, 910	391, 141
1916.....	254, 251	259, 211	33, 864	101, 869	394, 944
Dec. 31—					
1916.....	254, 037	259, 705	34, 325	102, 984	397, 014
1917.....	253, 626	259, 705	35, 066	105, 582	400, 353
1918.....	253, 529	258, 507	36, 228	107, 608	402, 343
1919.....	253, 152	258, 525	36, 730	108, 637	403, 892
1920.....	252, 845	259, 941	36, 894	109, 744	406, 579
1921.....	251, 176	258, 362	37, 614	111, 555	407, 531
1922.....	250, 413	257, 425	37, 888	114, 046	409, 359
1923.....	250, 222	258, 084	38, 697	116, 212	412, 993
1924.....	250, 156	258, 238	39, 916	116, 874	415, 028
1925.....	250, 568	258, 870	40, 962	118, 357	418, 189

<sup>1</sup> Includes mileage of some small companies that do not make annual reports to the commission.

TABLE II.—*Equipment of steam railways in service at the close of each year, 1908–1925 <sup>1</sup>*

Year ended—	Number of locomotives	Average tractive power	Number of freight cars (excluding cabooses)	Average capacity	Number of passenger-train cars
June 30—		<i>Pounds</i>		<i>Tons</i>	
1908.....	57, 698	26, 356	2, 100, 784	34. 9	45, 292
1909.....	58, 219	26, 601	2, 086, 835	35. 3	45, 664
1910.....	60, 019	27, 282	2, 148, 478	35. 9	47, 179
1911.....	62, 463	28, 291	2, 208, 997	36. 9	49, 906
1912.....	63, 463	29, 049	2, 229, 163	37. 4	51, 583
1913.....	65, 597	30, 258	2, 298, 478	38. 3	52, 717
1914.....	67, 012	31, 006	2, 349, 734	39. 1	54, 492
1915.....	66, 502	31, 501	2, 341, 567	39. 7	55, 810
1916.....	65, 314	32, 880	2, 313, 378	40. 5	54, 774
Dec. 31—					
1916.....	65, 505	32, 840	2, 329, 475	40. 9	55, 193
1917.....	66, 070	33, 932	2, 379, 472	41. 5	55, 939
1918.....	67, 936	34, 995	2, 397, 943	41. 6	56, 611
1919.....	68, 977	35, 789	2, 426, 889	41. 9	56, 290
1920.....	68, 942	36, 365	2, 388, 424	42. 4	56, 102
1921.....	69, 122	36, 935	2, 378, 510	42. 5	56, 950
1922.....	68, 518	37, 441	2, 352, 483	43. 1	56, 827
1923.....	69, 414	39, 177	2, 379, 131	43. 8	57, 159
1924.....	69, 486	39, 891	2, 411, 627	44. 3	57, 451
1925.....	68, 035	40, 321	2, 415, 037	44. 7	56, 91

<sup>1</sup> The figures relating to the number of locomotives and cars as published have been adjusted to cover all operating roads each year, but the figures showing average tractive power of locomotives and average capacity of freight cars are as published in the Statistics of Railways. The fact that the same classes of railways have not been covered each year affects these averages only slightly. Privately owned cars are not included.



TABLE III.—*Railway capital actually outstanding and net income, 1908–1925: Steam railways, excluding switching and terminal companies*

Year ended—	Total railway capital	Funded debt	Stock	Ratio of debt to capital	Net income	Ratio of net income to stock
June 30—				<i>Per cent</i>		<i>Per cent</i>
1908.....	\$16,198,731,489	\$8,897,992,216	\$7,300,739,273	54.9	\$443,986,915	6.08
1909.....	16,992,530,340	9,380,119,114	7,612,411,226	55.2	441,062,743	5.79
1910.....	17,774,426,871	9,763,696,861	8,010,730,010	54.9	583,191,124	7.28
1911.....	18,437,820,946	10,074,545,054	8,363,275,892	54.6	547,280,771	6.54
1912.....	18,989,345,476	10,436,898,200	8,552,447,276	55.0	453,125,324	5.30
1913.....	19,028,535,973	10,428,543,119	8,599,992,854	54.8	544,201,074	6.33
1914.....	19,401,083,881	10,746,868,639	8,654,215,242	55.4	395,631,642	4.57
1915.....	19,719,893,944	11,084,574,576	8,635,319,368	56.2	354,786,729	4.11
1916.....	19,681,193,092	10,938,086,453	8,743,106,639	55.6	671,398,243	7.68
Dec. 31—						
1916.....	19,630,610,082	10,875,206,565	8,755,403,517	55.4	735,341,165	8.40
1917.....	19,764,941,991	10,761,145,441	9,003,796,550	54.5	658,224,696	7.31
1918.....	19,453,272,003	10,606,556,489	8,846,716,514	54.5	442,336,131	5.00
1919.....	19,539,283,350	10,656,158,685	8,883,124,665	54.5	496,609,104	5.59
1920.....	20,098,046,374	11,254,946,156	8,843,100,218	56.0	481,950,969	5.45
1921.....	20,247,686,960	11,357,766,232	8,889,920,728	56.1	350,539,608	3.94
1922.....	20,463,595,243	11,501,958,520	8,961,636,723	56.2	434,459,186	4.85
1923.....	21,057,513,319	11,964,580,105	9,092,933,214	56.8	632,117,581	6.95
1924.....	21,680,783,511	12,380,730,224	9,300,053,287	57.1	623,399,393	6.70
1925.....	21,799,241,424	12,380,191,029	9,419,050,395	56.8	772,203,954	8.20

TABLE IV.—*Dividends, 1908–1925: Steam railways, excluding switching and terminal companies*

Year ended—	Proportion of stock paying dividends <sup>1</sup>	Amount of dividends <sup>1</sup>	Average rate on—	
			Dividend-paying stock <sup>1</sup>	All stock
June 30—	<i>Per cent</i>		<i>Per cent</i>	<i>Per cent</i>
1908.....	65.69	\$390,695,351	8.07	5.30
1909.....	64.01	321,071,626	6.53	4.18
1910.....	66.71	405,771,416	7.50	5.00
1911.....	67.65	460,195,376	8.03	5.42
1912.....	64.73	400,315,313	7.17	4.64
1913.....	66.14	369,077,546	6.37	4.22
1914.....	64.39	451,633,346	7.97	5.13
1915.....	60.45	328,477,938	6.29	3.80
1916.....	60.38	342,109,396	6.48	3.91
Dec. 31—				
1916.....	62.02	366,561,494	6.75	4.19
1917.....	62.32	381,851,548	6.81	4.24
1918.....	58.09	339,185,658	6.00	3.83
1919.....	59.64	335,241,935	6.33	3.77
1920.....	57.30	331,102,938	6.52	3.74
1921.....	56.92	456,482,092	9.02	5.13
1922.....	59.38	338,805,695	6.37	3.78
1923.....	62.09	411,881,766	7.30	4.53
1924.....	64.97	385,129,890	6.37	4.14
1925.....	66.68	410,184,151	6.53	4.35

<sup>1</sup> Includes figures for lessors and operating railways without excluding duplications.

TABLE V.—*Reported property investment and certain income items, 1908–1925: Operating steam railways excluding switching and terminal companies*

Year ended—	Investment <sup>1</sup>	Investment per mile of road	Net railway operating income <sup>2</sup>	Return on investment	Other income <sup>3</sup>	Interest, rents, and other deductions <sup>4</sup>	Dividends declared
June 30—				<i>Per ct.</i>			
1908..	\$13,213,766,540	\$61,778.80	\$634,794,284	4.80	\$246,419,662	\$485,311,472	\$329,062,261
1909..	13,609,183,515	61,391.27	710,474,052	5.22	175,706,091	498,016,028	272,043,499
1910 <sup>5</sup>	14,557,816,099	64,382.45	805,097,141	5.53	222,914,561	511,416,980	351,202,272
1911..	15,612,378,845	66,515.69	744,669,102	4.77	276,361,692	529,919,727	403,417,363
1912..	16,004,744,966	67,397.82	727,458,036	4.55	221,591,272	549,229,407	347,354,133
1913..	16,588,603,109	69,780.20	806,800,960	4.86	243,599,221	564,413,747	327,967,396
1914..	17,153,785,568	72,078.91	674,189,999	3.93	246,186,804	576,486,952	380,339,400
1915..	17,441,420,382	73,207.64	694,276,111	3.98	189,300,358	575,197,902	264,267,107
1916..	17,689,425,438	73,794.82	1,002,934,791	5.67	195,457,547	594,378,443	236,618,168
Dec. 31—							
1916..	17,842,776,668	74,465.53	1,058,505,501	5.93	213,324,109	623,179,643	311,876,409
1917..	18,574,297,873	77,162.81	950,556,850	5.12	233,252,283	574,290,447	325,600,752
1918..	18,984,756,478	78,820.34	646,223,098	3.40	( <sup>6</sup> )	667,587,844	279,929,286
1919..	19,300,120,717	79,974.46	454,132,156	2.35	( <sup>6</sup> )	630,558,985	281,569,422
1920..	19,849,319,946	81,954.15	12,100,759	.06	( <sup>6</sup> )	640,515,977	275,348,254
1921..	20,329,223,603	84,530.49	601,138,916	2.96	375,000,544	662,375,138	403,990,775
1922..	20,580,168,269	86,003.64	769,411,093	3.74	265,032,855	655,646,742	275,721,615
1923..	21,372,858,161	89,619.12	974,917,715	4.56	260,655,476	667,615,629	353,126,804
1924..	22,182,267,385	93,232.69	984,463,481	4.44	269,187,830	684,558,676	325,983,454
1925..	22,709,268,838	95,282.82	1,136,644,637	5.01	268,209,057	688,392,094	349,318,277

<sup>1</sup> The figures shown include investment of leased lines. They are taken from the annual reports of carriers and do not include property investment of some proprietary companies which do not render annual reports, notably the proprietary roads in the Baltimore & Ohio system. They include some duplications in the Atchison, Topeka & Santa Fe system. If these facts were taken into account, the total shown for 1919, as compiled in a special statement, would be increased to approximately \$19,565,646,081, not including the investment of switching and terminal companies, amounting to \$502,135,624. In this column no allowance is made for cash and materials and supplies, and no deduction is made for depreciation.

<sup>2</sup> This term as defined in the interstate commerce act means "railway operating income, including in the computation thereof debits and credits arising from equipment rents and joint facility rents."

<sup>3</sup> Includes amounts received as interest or dividends on railroad securities owned by reporting carriers. See Statistics of Railways, 1924, Statement No. 34.

<sup>4</sup> These correspond approximately to what are commonly called "fixed charges."

<sup>5</sup> Investment for 1910 originally published is increased by \$170,000,000, estimated reserve for accrued depreciation to make totals comparable with those for other years.

<sup>6</sup> Does not include returns for Class II and Class III railways.

<sup>7</sup> Reported figures not comparable with those for other years on account of Federal control accounting requirements.

TABLE VI.—*Operating revenues, operating expenses, and taxes, 1908–1925*

Year ended—	Operating revenues	Operating expenses	Railway tax accruals	Ratio to revenues		
				Maintenance of way and structures	Maintenance of equipment	Total operating expenses
June 30—				<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
1908..	\$2,440,638,832	\$1,710,401,791	\$84,599,992	13.50	15.09	70.08
1909..	2,473,205,301	1,650,034,204	90,558,316	12.47	14.71	66.72
1910..	2,812,141,575	1,881,879,118	103,853,576	13.10	14.69	66.92
1911..	2,852,854,721	1,976,331,864	108,309,512	12.83	15.02	69.28
1912..	2,906,415,869	2,035,057,529	120,091,534	12.64	15.50	70.02
1913..	3,208,647,370	2,249,277,937	123,024,867	13.25	16.00	70.10
1914..	3,126,520,234	2,279,408,488	141,225,691	13.55	17.09	72.91
1915..	2,956,193,202	2,088,682,956	139,298,167	12.91	17.25	70.65
1916..	3,472,641,941	2,277,202,278	151,599,841	12.14	16.42	65.58
Dec. 31—						
1916..	3,691,065,217	2,426,250,521	163,450,852	11.90	16.50	65.73
1917..	4,115,413,057	2,906,283,165	220,586,491	11.03	17.11	70.62
1917 <sup>2</sup>	4,014,142,748	2,829,325,124	215,861,346	11.01	17.08	70.48
1918 <sup>2</sup>	4,880,202,255	3,971,870,043	224,599,115	13.31	22.55	81.39
1919 <sup>2</sup>	5,144,466,361	4,378,285,227	233,716,608	15.00	23.79	85.11
1920 <sup>2</sup>	6,178,120,978	5,830,620,492	283,813,929	16.71	25.74	94.38
1921 <sup>2</sup>	5,516,598,242	4,562,668,302	277,899,481	13.71	22.69	82.71
1922 <sup>2</sup>	5,559,092,708	4,414,522,334	302,195,425	13.11	22.53	79.41
1923 <sup>2</sup>	6,289,580,027	4,895,166,819	333,033,560	12.94	23.29	77.83
1924 <sup>2</sup>	5,921,496,325	4,507,885,037	342,449,048	13.39	21.28	76.13
1925 <sup>2</sup>	6,122,509,856	4,536,880,291	360,237,870	13.34	20.58	74.10

<sup>1</sup> Roads of Classes I, II, and III.

<sup>2</sup> Class I railways only.

<sup>3</sup> Excludes corporate revenues of companies whose properties were under Federal control.

<sup>4</sup> Excludes corporate expenses of companies whose properties were under Federal control.

TABLE VII.—*Number and compensation of employees, 1908–1925*

Year ended—	Average number of employees during year	Compensation of railway employees <sup>1</sup>		
		Total	Ratio to revenues	Ratio to expenses
June 30—			<i>Per cent</i>	<i>Per cent</i>
1908 <sup>2</sup> .....		\$1,035,437,528	42.42	60.54
1909 <sup>2</sup> .....		988,323,694	39.96	59.90
1910 <sup>2</sup> .....		1,143,725,306	40.67	60.78
1911 <sup>2</sup> .....		1,208,466,470	42.36	61.15
1912 <sup>2</sup> .....		1,252,347,697	43.00	61.54
1913 <sup>2</sup> .....		1,381,334,368	43.05	61.41
1914 <sup>2</sup> .....		1,381,117,292	44.17	60.59
1915 <sup>2</sup> .....		1,242,319,254	42.02	59.48
1916 <sup>2</sup> .....		1,403,968,437	40.43	61.65
Dec. 31—				
1916 <sup>2</sup> .....		1,506,960,995	40.83	62.11
1917 <sup>2</sup> .....		1,785,214,071	43.33	61.36
1917 <sup>3</sup> .....	1,732,876	1,739,482,142	43.33	61.48
1918 <sup>3</sup> .....	<sup>4</sup> 1,837,663	<sup>4</sup> 2,606,284,245	53.40	65.62
1919 <sup>3</sup> .....	<sup>4</sup> 1,908,169	<sup>4</sup> 2,828,014,440	54.97	64.59
1920 <sup>3</sup> .....	2,022,832	3,681,801,193	59.59	62.15
1921 <sup>3</sup> .....	1,659,513	2,765,218,079	50.13	60.61
1922 <sup>3</sup> .....	1,626,834	2,640,817,005	47.50	59.82
1923 <sup>3</sup> .....	1,857,674	3,004,071,882	47.76	61.37
1924 <sup>3</sup> .....	1,751,362	2,825,775,181	47.72	62.69
1925 <sup>3</sup> .....	1,747,207	2,860,607,183	46.72	63.05

<sup>1</sup> In 1921, 93.65 per cent of the reported compensation was chargeable to operating expenses. In 1922 the corresponding percentage was 93.47; in 1923, 92.72 per cent; in 1924, 92.88 per cent; in 1925, 92.49 per cent. What part of the totals for earlier years was so chargeable is not known. The percentages shown, however, do not lose their comparative value on this account.

<sup>2</sup> Railways of Classes I, II, and III, excluding switching and terminal companies.

<sup>3</sup> Class I railways only, excluding switching and terminal companies.

<sup>4</sup> Data for 1918 and 1919 do not cover employees of corporate organizations whose properties were under Federal control.

TABLE VIII.—*Transportation service performed by steam railways, 1908–1925, excluding switching and terminal companies*

Year ended—	Freight service				Passenger service			
	Revenue tons originated	Revenue tons carried 1 mile	Loaded car-miles	Average haul		Passengers carried	Passenger-miles	Average journey per passenger
				United States as a system	For the individual road			
June 30—		<i>Millions</i>	<i>Millions</i>	<i>Miles</i>	<i>Miles</i>	<i>Millions</i>	<i>Millions</i>	<i>Miles</i>
1908.....	869,797,510	218,382	11,128	253.94	143.83	890	29,083	32.86
1909.....	881,334,355	218,803	11,361	251.10	141.87	891	29,109	32.85
1910.....	1,026,491,782	255,017	12,851	249.68	138.31	972	32,338	33.60
1911.....	1,003,053,893	253,784	12,859	254.10	142.88	997	33,202	33.48
1912.....	1,031,206,606	264,081	13,081	256.87	143.44	1,004	33,132	33.18
1913.....	1,182,547,672	301,730	14,292	255.15	144.40	1,044	34,673	33.31
1914.....	1,129,992,223	288,637	13,688	255.43	144.17	1,063	35,357	33.25
1915.....	1,023,802,680	277,135	13,111	270.69	151.55	986	32,475	32.95
1916.....	1,262,862,624	343,477	15,343	271.98	152.25	1,015	34,309	33.79
Dec. 31—								
1916.....	1,317,245,556	366,174	16,042	277.98	155.99	1,049	35,220	33.58
1917.....	1,382,004,576	398,263	16,088	288.18	162.33	1,110	40,100	36.13
1918.....	1,376,844,812	408,778	15,163	296.89	165.02	1,123	43,212	38.48
1919.....	1,189,765,193	367,161	14,433	308.60	168.02	1,211	46,838	38.68
1920.....	1,362,999,293	413,699	15,489	303.52	170.41	1,270	47,370	37.30
1921.....	1,017,817,596	309,533	12,591	304.11	171.12	1,061	37,706	35.53
1922.....	1,111,822,446	342,188	14,077	307.77	173.29	990	35,811	36.19
1923.....	1,387,754,966	416,266	16,532	299.94	166.29	1,009	38,294	37.97
1924.....	1,287,412,983	391,945	16,020	304.44	168.12	950	36,368	35.26
1925.....	1,860,670,642	417,454	16,996	309.09	169.25	902	36,169	40.09



TABLE IX.—*Carload, trainload, and density of traffic, 1908-1925*

Year ended—	Tons per loaded freight car	Revenue tons per train	Passen- gers per car	Passen- gers per train	Revenue ton-miles per mile of road	Passen- ger-miles per mile of road
June 30—						
1908 <sup>1</sup> -----	19.62	352	16	54	974,654	130,073
1909 <sup>1</sup> -----	19.26	363	15	54	953,986	127,299
1910 <sup>1</sup> -----	19.84	380	16	56	1,071,086	138,169
1911 <sup>1</sup> -----	19.74	383	16	55	1,053,566	139,191
1912 <sup>1</sup> -----	20.18	407	15	53	1,078,580	136,699
1913 <sup>2</sup> -----	21.11	445	15	55	1,245,158	143,067
1914 <sup>2</sup> -----	21.09	452	15	56	1,176,923	144,278
1915 <sup>2</sup> -----	21.15	474	15	53	1,121,059	131,165
1916 <sup>2</sup> -----	22.40	535	15	55	1,380,349	137,818
Dec. 31—						
1916 <sup>2</sup> -----	22.83	550	15	56	1,470,274	141,305
1916 <sup>3</sup> -----	* 24.98	560	16 <sup>1</sup>	57	1,569,084	149,795
1917 <sup>3</sup> -----	* 27.02	597	17	65	1,698,825	170,088
1918 <sup>3</sup> -----	* 29.30	628	20	76	1,738,305	183,066
1919 <sup>3</sup> -----	* 27.66	631	21	82	1,558,081	198,345
1920 <sup>3</sup> -----	* 29.13	647	20	80	1,748,451	199,708
1921 <sup>3</sup> -----	* 27.32	579	16	67	1,308,938	159,551
1922 <sup>3</sup> -----	* 26.65	611	16	65	1,444,840	151,410
1923 <sup>3</sup> -----	* 27.83	644	16 <sup>1</sup>	67	1,754,901	161,777
1924 <sup>3</sup> -----	* 26.88	647	15 <sup>1</sup>	63	1,649,318	153,618
1925 <sup>3</sup> -----	* 26.87	675	15	63	1,749,197	151,959

<sup>1</sup> Class I, Class II, and Class III railways.<sup>2</sup> Class I and Class II railways.<sup>3</sup> Class I railways only.<sup>4</sup> Includes nonrevenue tonnage.TABLE X.—*Average receipts per ton, per ton-mile, per passenger, and per passenger-mile, 1908-1925*

Year ended—	Average amount received for each ton orig- inated	Revenue per ton- mile	Average receipts per passen- ger	Revenue per passen- ger-mile
June 30—		<i>Cents</i>		<i>Cents</i>
1908-----	\$1.903	0.754	\$0.634	1.937
1909-----	1.903	.763	.631	1.928
1910-----	1.876	.753	.646	1.938
1911-----	1.920	.767	.658	1.974
1912-----	1.909	.744	.657	1.987
1913-----	1.869	1.729	1.672	12.008
1914-----	1.881	.737	.662	1.990
1915-----	1.991	.735	.656	1.991
1916-----	1.955	.719	.679	2.010
Dec. 31—				
1916-----	1.997	.719	.689	2.051
1917-----	2.096	.728	.758	2.097
1918-----	2.558	.862	.932	2.421
1919-----	3.047	.987	.985	2.548
1920-----	3.243	1.069	1.027	2.755
1921-----	3.934	1.294	1.099	3.093
1922-----	3.675	1.194	1.099	3.037
1923-----	3.396	1.132	1.149	3.026
1924-----	3.447	1.132	1.142	2.985
1925-----	3.442	1.114	1.180	2.944

<sup>1</sup> Class I and II railways.

TABLE XI.—*Fuel consumed by locomotives, and rails and ties laid, Class I steam railways, not including switching and terminal companies*

Year ended 1—	Bituminous coal	Anthracite coal	Fuel oil	Total fuel <sup>2</sup>	Rails applied in replacement and betterment	Ties laid in previously constructed tracks	
						Cross ties	Switch and bridge ties
Dec. 31—	<i>Net tons</i>	<i>Net tons</i>	<i>Gallons</i>	<i>Net tons</i>	<i>Long tons</i>	<i>Number</i>	<i>Feet (B. M.)</i>
1917—	133,421,457	5,293,301	1,804,889,338	150,230,647	2,046,575	79,070,201	208,526,311
1918—	134,214,480	3,615,697	1,638,956,953	148,122,435	1,883,393	76,139,310	222,927,474
1919—	119,692,067	2,981,959	1,586,061,174	132,620,935	2,335,300	80,903,216	248,440,195
1920—	135,413,695	3,860,970	1,929,670,624	151,405,712	2,506,961	86,829,307	246,195,929
1921—	107,910,146	2,643,724	1,661,443,618	121,006,242	2,588,313	86,521,566	256,287,730
1922—	113,163,083	2,472,652	1,828,125,050	127,213,343	2,618,556	86,641,834	258,186,478
1923—	131,491,561	2,614,576	2,334,365,782	148,921,714	3,138,972	84,434,985	277,615,107
1924—	117,247,005	2,678,601	2,475,896,579	135,617,320	3,184,536	83,073,059	291,288,388
1925—	117,714,426	2,174,143	2,457,826,755	135,419,983	3,484,426	82,719,680	282,511,435

<sup>1</sup> Data not compiled prior to 1917.<sup>2</sup> In the statement of consumption of fuel by locomotives, 1 cord of hardwood is considered as equivalent to two-thirds of a ton of fuel; and 1 cord of softwood as equivalent to one-half of a ton of fuel. The ratio used in reducing fuel oil to tons of fuel is left to the experience of each road. Figures include data for cord-wood; also a small amount of miscellaneous fuel.TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911–1925, by districts*

## UNITED STATES

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911—	\$2,752,497,297	\$1,902,994,333	\$348,004,080	\$415,590,400	\$954,349,616	\$724,184,708
1912—	2,805,006,544	1,959,094,811	348,470,704	436,995,458	984,852,159	708,484,383
1913—	3,108,361,215	2,173,463,563	406,042,529	499,988,331	1,063,017,845	787,610,435
1914—	3,031,326,963	2,203,423,812	403,682,593	520,200,274	1,073,981,380	661,018,147
1915—	2,871,563,047	2,021,160,614	364,004,178	496,739,561	1,002,740,734	683,104,833
1916—	3,381,597,866	2,210,892,786	404,514,144	557,664,332	1,080,797,803	984,872,959
Dec. 31—						
1916—	3,596,865,766	2,357,398,412	421,775,812	595,566,336	1,164,274,088	1,040,084,517
1917—	4,014,142,748	2,829,325,123	442,109,862	685,428,913	1,506,544,964	934,068,770
1918—	4,880,953,480	3,982,068,197	649,794,953	1,103,031,350	2,019,529,931	638,568,603
1919—	5,144,795,154	4,399,715,515	772,186,045	1,226,532,195	2,157,057,982	454,984,953
1920—	6,178,120,978	5,830,620,492	1,032,540,381	1,590,364,640	2,891,662,486	17,226,902
1921—	5,516,598,242	4,562,668,302	756,413,690	1,251,479,443	2,252,090,903	600,937,356
1922—	5,559,092,708	4,414,522,334	728,663,534	1,252,517,250	2,140,149,596	760,187,319
1923—	6,289,580,027	4,895,166,819	813,688,760	1,465,156,595	2,309,608,766	961,955,457
1924—	5,921,496,325	4,507,885,037	792,678,023	1,260,019,916	2,141,469,255	973,837,202
1925—	6,122,509,856	4,536,880,291	816,443,205	1,259,835,276	2,128,471,218	1,121,080,632

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911–1925, by districts—Continued

## UNITED STATES—Continued

Year ended—	Freight service statistics					
	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$1,856,504,287	901,053,884	1,624,393,638	249,843,166	0.743	1,161,164
1912.....	1,897,692,838	926,465,041	1,684,994,748	259,981,628	.730	1,191,885
1913.....	2,140,053,394	1,067,798,112	1,915,001,926	297,722,528	.719	1,335,410
1914.....	2,059,891,935	1,023,131,101	1,843,216,056	284,924,750	.723	1,262,636
1915.....	1,977,933,275	925,696,847	1,684,659,517	273,913,007	.722	1,199,093
1916.....	2,402,210,995	1,151,187,321	2,093,092,757	339,870,323	.707	1,474,438
Dec. 31—						
1916.....	2,560,988,111	1,203,367,190	2,179,696,043	362,444,397	.707	1,569,084
1917.....	2,819,965,215	1,264,015,725	2,270,035,053	394,465,400	.715	1,698,825
1918.....	3,440,741,970	1,262,621,054	2,305,824,940	405,379,284	.849	1,738,305
1919.....	3,543,266,303	1,095,549,999	2,043,229,775	364,293,063	.573	1,558,081
1920.....	4,317,440,080	1,255,420,991	2,259,983,278	410,306,210	1.052	1,748,451
1921.....	3,911,277,268	940,182,560	1,690,762,695	306,840,204	1.275	1,308,938
1922.....	3,992,441,331	1,023,745,007	1,840,954,570	339,285,347	1.177	1,444,840
1923.....	4,606,720,192	1,279,030,222	2,333,600,764	412,727,228	1.116	1,754,901
1924.....	4,333,585,195	1,187,295,744	2,171,718,705	388,415,312	1.116	1,649,318
1925.....	4,541,646,040	1,247,243,183	2,306,976,706	413,823,173	1.097	1,749,197

Year ended—	Passenger service statistics					
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger
June 30—			<i>Thousands</i>	<i>Cents</i>	<i>Miles</i>	
1911.....	\$636,341,495	938,655,719	32,371,445	1.96	151,123	34.49
1912.....	639,818,627	944,265,173	32,316,263	1.98	149,442	34.22
1913.....	678,966,749	983,692,468	33,875,086	2.00	152,126	34.44
1914.....	683,748,602	1,002,350,385	34,566,985	1.98	153,369	34.49
1915.....	629,237,464	936,368,539	31,789,923	1.98	139,226	33.95
1916.....	673,806,175	968,887,957	33,645,908	2.00	146,029	34.73
Dec. 31—						
1916.....	706,608,630	1,005,954,777	34,585,952	2.04	149,795	34.38
1917.....	825,211,593	1,066,638,474	39,476,859	2.09	170,088	37.01
1918.....	1,031,563,016	1,084,997,896	42,676,579	2.41	183,066	39.33
1919.....	1,178,453,860	1,177,820,454	46,358,304	2.54	198,345	39.36
1920.....	1,286,613,273	1,234,862,048	46,848,668	2.75	199,708	37.94
1921.....	1,151,770,842	1,035,496,329	37,312,586	3.09	159,551	36.03
1922.....	1,074,108,060	967,409,205	35,469,962	3.03	151,410	36.66
1923.....	1,145,698,579	986,913,075	37,956,595	3.02	161,777	38.46
1924.....	1,075,039,219	932,678,462	36,090,886	2.98	153,618	38.70
1925.....	1,056,395,753	888,389,515	35,950,394	2.94	151,959	40.47

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	608,678,284	392.64	12,666,136	5,718,739	19.73	153.81
1912.....	594,658,218	417.63	12,890,515	5,655,789	20.17	154.29
1913.....	628,319,136	453.39	14,102,776	6,025,620	21.11	155.47
1914.....	590,833,907	460.40	13,507,268	6,426,178	21.09	154.58
1915.....	537,804,830	483.74	12,952,289	6,572,981	21.15	162.59
1916.....	594,124,091	545.10	15,170,608	6,839,846	22.40	162.38
Dec. 31—						
1916.....	617,606,223	560.24	15,869,363	6,758,685	22.84	166.28
1917.....	631,187,856	597.29	15,923,511	6,762,209	24.77	173.77
1918.....	616,151,416	628.49	15,019,410	7,161,568	29.30	175.81
1919.....	549,657,072	630.93	14,307,036	6,532,332	27.66	178.29
1920.....	607,508,144	646.87	15,356,139	7,261,785	29.13	181.55
1921.....	510,291,696	578.71	12,474,703	7,316,080	27.32	181.48
1922.....	534,654,994	611.06	13,958,696	6,802,689	26.65	184.30
1923.....	620,329,534	643.91	16,396,070	8,532,891	27.83	176.86
1924.....	579,571,262	647.06	15,878,770	8,517,534	26.88	178.85
1925.....	591,684,977	675.35	16,853,259	9,315,537	26.87	179.38

<sup>1</sup> Includes nonrevenue tonnage.



TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911-1925, by districts—Continued*

## EASTERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911.....	\$1, 213, 660, 256	\$863, 211, 897	\$145, 164, 499	\$193, 859, 070	\$438, 903, 996	\$290, 640, 214
1912.....	1, 252, 347, 003	889, 976, 127	145, 519, 876	206, 962, 257	451, 394, 036	296, 349, 077
1913.....	1, 384, 956, 152	998, 950, 347	175, 486, 384	238, 499, 228	492, 807, 975	314, 494, 142
1914.....	1, 333, 539, 193	1, 020, 801, 658	174, 319, 820	249, 616, 624	502, 389, 521	234, 801, 111
1915.....	1, 275, 028, 603	923, 568, 892	153, 385, 132	234, 987, 869	468, 418, 755	272, 733, 945
1916.....	1, 537, 081, 507	1, 024, 738, 557	168, 575, 830	265, 861, 739	519, 758, 208	420, 545, 856
Dec. 31—						
1916.....	1, 621, 550, 829	1, 102, 248, 864	174, 989, 760	285, 093, 013	566, 639, 759	416, 767, 825
1917.....	1, 785, 312, 427	1, 338, 467, 004	184, 405, 875	328, 316, 047	740, 321, 891	323, 836, 732
1918.....	2, 206, 636, 283	1, 892, 301, 120	284, 163, 203	533, 204, 691	980, 415, 194	191, 716, 754
1919.....	2, 282, 088, 271	2, 023, 222, 179	312, 422, 503	591, 241, 108	1, 010, 098, 154	135, 326, 720
1920.....	2, 747, 383, 278	2, 730, 072, 193	415, 294, 185	785, 012, 264	1, 390, 708, 928	<sup>1</sup> 124, 232, 269
1921.....	2, 400, 790, 651	2, 082, 583, 902	308, 345, 844	600, 572, 745	1, 042, 363, 773	230, 095, 884
1922.....	2, 516, 678, 522	2, 059, 858, 442	303, 843, 539	618, 616, 562	1, 009, 128, 884	291, 852, 685
1923.....	2, 942, 418, 971	2, 330, 521, 041	347, 357, 451	735, 015, 792	1, 115, 479, 364	417, 549, 658
1924.....	2, 665, 770, 837	2, 068, 795, 995	326, 063, 800	598, 430, 726	1, 009, 509, 807	407, 467, 686
1925.....	2, 754, 442, 552	2, 084, 325, 325	347, 414, 385	603, 356, 347	991, 612, 372	474, 906, 322

Year ended—	Freight service statistics					
	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$823, 077, 681	( <sup>2</sup> )	989, 772, 476	129, 696, 321	0. 638	2, 272, 565
1912.....	852, 060, 603	( <sup>2</sup> )	1, 032, 434, 040	133, 425, 498	. 638	2, 326, 286
1913.....	959, 046, 954	( <sup>2</sup> )	1, 171, 788, 577	152, 756, 350	. 628	2, 626, 710
1914.....	905, 278, 775	502, 711, 850	1, 105, 436, 517	143, 115, 921	. 633	2, 443, 140
1915.....	876, 627, 161	454, 833, 379	1, 003, 358, 320	135, 642, 899	. 646	2, 303, 011
1916.....	1, 095, 655, 761	577, 310, 511	1, 262, 238, 041	169, 263, 168	. 647	2, 869, 020
Dec. 31—						
1916.....	1, 146, 977, 398	590, 301, 231	1, 283, 710, 688	177, 487, 341	. 646	3, 004, 747
1917.....	1, 246, 849, 850	617, 844, 385	1, 302, 098, 157	187, 966, 031	. 663	3, 178, 653
1918.....	1, 552, 957, 602	614, 703, 873	1, 317, 918, 088	190, 942, 938	. 813	3, 229, 876
1919.....	1, 555, 729, 754	524, 148, 548	1, 156, 703, 060	170, 117, 616	. 914	2, 866, 157
1920.....	1, 922, 764, 331	606, 786, 167	1, 253, 468, 027	188, 517, 900	1. 020	3, 170, 268
1921.....	1, 722, 187, 847	449, 674, 156	934, 693, 849	138, 502, 605	1. 243	2, 354, 467
1922.....	1, 772, 597, 986	452, 237, 737	975, 691, 067	151, 209, 900	1. 172	2, 571, 943
1923.....	2, 141, 751, 647	597, 891, 855	1, 295, 112, 410	193, 987, 685	1. 104	3, 289, 637
1924.....	1, 908, 378, 804	519, 595, 258	1, 146, 944, 903	170, 039, 430	1. 122	2, 879, 748
1925.....	1, 987, 804, 252	531, 309, 947	1, 210, 997, 720	179, 498, 293	1. 107	3, 037, 107

<sup>1</sup> Deficit.<sup>2</sup> Not separated by districts.

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911-1925, by districts—Continued

## EASTERN DISTRICT—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$269,625,574	573,249,088	15,161,685	1.78	270,823	26.45	62
1912.....	274,724,616	583,326,936	15,401,754	1.78	277,008	26.40	63
1913.....	288,926,444	605,179,693	16,087,159	1.80	277,480	26.58	64
1914.....	293,418,549	608,647,324	16,348,655	1.79	279,975	26.86	65
1915.....	276,542,596	571,964,445	14,960,949	1.85	254,447	26.16	62
1916.....	290,064,736	592,397,103	15,628,070	1.89	265,355	26.38	64
Dec. 31—							
1916.....	316,122,645	625,543,403	16,627,330	1.90	281,977	26.58	66
1917.....	357,307,045	660,780,166	18,408,280	1.94	311,836	27.86	75
1918.....	446,013,822	673,703,126	19,516,673	2.28	330,597	28.97	89
1919.....	512,372,905	731,335,826	21,471,099	2.38	362,254	29.36	93
1920.....	563,867,573	777,820,717	21,927,088	2.57	369,258	28.19	93
1921.....	537,877,927	673,170,252	18,723,437	2.87	321,342	27.81	82
1922.....	513,958,566	637,134,609	18,083,029	2.84	310,543	28.38	80
1923.....	546,821,748	655,225,051	19,221,806	2.84	329,106	29.34	83
1924.....	523,475,454	629,938,820	18,567,323	2.82	317,472	29.47	79
1925.....	520,011,019	616,313,402	18,583,979	2.80	314,440	30.15	79

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	272,200,400	464.87	5,906,670	2,847,313	21.86	130.43
1912.....	265,255,675	492.57	6,030,012	2,797,014	22.13	129.33
1913.....	278,453,083	537.67	6,546,516	2,949,449	23.33	130.36
1914.....	257,418,781	544.30	6,134,262	3,085,077	23.33	129.47
1915.....	229,766,592	578.06	5,798,668	3,186,404	23.29	135.19
1916.....	257,522,644	644.89	6,877,179	3,284,945	24.61	134.10
Dec. 31—						
1916.....	264,676,081	658.34	7,070,991	3,230,603	25.10	138.26
1917.....	258,953,016	713.10	6,846,178	3,045,676	27.46	144.36
1918.....	243,909,032	753.81	6,400,881	3,195,407	<sup>1</sup> 31.50	144.88
1919.....	216,416,492	770.43	5,994,491	2,825,943	<sup>1</sup> 30.01	147.07
1920.....	232,981,766	795.20	6,348,174	3,038,378	<sup>1</sup> 31.49	150.40
1921.....	197,813,624	689.32	5,133,557	3,092,037	<sup>1</sup> 29.05	148.18
1922.....	206,650,647	719.95	5,765,642	2,783,427	<sup>1</sup> 27.92	154.98
1923.....	246,812,187	775.60	6,924,153	3,551,844	<sup>1</sup> 30.07	149.78
1924.....	223,452,378	749.18	6,421,637	3,467,991	<sup>1</sup> 28.41	148.25
1925.....	227,772,074	775.00	6,774,191	3,743,109	<sup>1</sup> 28.37	148.22

<sup>1</sup> Includes nonrevenue tonnage.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911–1925, by districts—Continued*

## SOUTHERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911.....	\$408,901,908	\$280,756,740	\$54,062,565	\$69,301,714	\$133,611,870	\$114,199,452
1912.....	425,845,379	303,592,880	56,218,738	76,119,886	146,221,249	106,566,938
1913.....	457,506,184	329,560,462	63,453,879	82,350,338	157,136,115	112,657,603
1914.....	469,470,064	341,840,064	62,156,224	88,495,869	162,513,910	109,278,435
1915.....	420,281,653	307,184,073	58,221,440	79,939,649	145,365,865	94,806,327
1916.....	489,710,775	324,780,730	60,459,359	90,526,721	148,423,205	147,402,968
Dec. 31—						
1916.....	523,035,795	340,077,502	64,261,937	93,631,184	155,532,291	167,267,028
1917.....	606,199,654	412,435,394	68,483,509	109,655,609	205,805,801	170,862,303
1918.....	784,808,766	610,267,232	99,160,843	175,372,440	305,766,271	139,328,194
1919.....	806,025,508	704,037,651	134,084,717	197,145,971	337,652,879	64,302,833
1920.....	976,831,242	912,707,181	166,683,197	250,225,301	448,753,361	32,592,163
1921.....	877,202,297	740,223,950	132,096,185	197,868,408	363,743,974	92,366,577
1922.....	915,300,678	708,694,116	123,224,838	201,698,927	337,425,418	150,622,446
1923.....	1,037,777,223	800,620,007	143,534,069	235,727,661	371,647,149	177,341,087
1924.....	1,024,517,353	767,633,858	146,252,369	218,590,970	352,154,500	194,970,749
1925.....	1,106,737,711	793,329,057	155,717,698	220,783,448	362,238,818	238,830,674

Year ended—	Freight service statistics					
	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$286,490,996	(1)	219,814,050	41,281,206	0.694	1,017,007
1912.....	298,902,770	(1)	228,865,650	43,667,931	.684	1,058,531
1913.....	323,299,148	(1)	248,738,041	47,979,202	.674	1,153,407
1914.....	330,770,930	174,319,180	256,515,825	49,523,945	.668	1,179,244
1915.....	302,538,187	154,482,371	231,971,297	47,324,536	.639	1,123,817
1916.....	361,873,595	187,728,372	282,182,463	58,450,532	.619	1,371,626
Dec. 31—						
1916.....	383,529,984	196,392,311	298,062,627	61,706,334	.622	1,444,725
1917.....	434,395,400	211,474,636	326,115,240	68,371,303	.635	1,599,356
1918.....	544,591,331	216,081,819	341,294,737	72,101,218	.755	1,672,592
1919.....	558,527,462	194,564,103	306,279,213	63,999,814	.873	1,476,892
1920.....	700,005,819	224,127,173	348,532,794	76,925,380	.909	1,758,760
1921.....	644,162,943	177,258,034	266,412,995	59,679,500	1.079	1,361,926
1922.....	688,326,095	208,588,604	314,370,114	69,564,942	.989	1,589,208
1923.....	783,287,866	249,638,257	381,375,875	81,705,350	.959	1,862,332
1924.....	780,744,790	252,887,991	382,711,800	82,350,493	.948	1,880,306
1925.....	851,637,550	281,715,364	423,768,921	91,928,285	.926	2,086,335

<sup>1</sup> Not separated by districts.



TABLE XII.—Selected data from annual reports of Class I steam railways, 1911-1925, by districts—Continued

## SOUTHERN DISTRICT—Continued

Year ended—	Passenger service statistics <sup>1</sup>						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$87,485,143	111,915,318	4,072,229	2.15	100,296	36.39	46
1912.....	91,280,694	115,024,664	4,221,416	2.16	102,419	36.70	46
1913.....	95,842,224	118,499,176	4,384,240	2.19	105,396	37.00	47
1914.....	99,254,393	121,873,344	4,585,239	2.17	109,182	37.62	47
1915.....	85,416,332	107,897,309	3,988,171	2.14	94,707	36.96	43
1916.....	90,992,351	114,764,764	4,115,760	2.21	96,582	35.86	44
Dec. 31—							
1916.....	98,385,580	118,823,820	4,573,888	2.15	107,088	38.49	48
1917.....	126,924,456	130,951,555	5,776,736	2.20	135,131	44.11	60
1918.....	188,932,168	145,489,852	7,404,952	2.55	171,779	50.90	77
1919.....	192,624,326	149,077,477	7,099,101	2.71	163,822	47.62	73
1920.....	196,654,660	150,917,730	6,617,867	2.97	151,306	43.85	67
1921.....	172,109,868	118,983,920	5,085,120	3.39	116,046	42.74	54
1922.....	163,173,370	111,258,242	4,855,660	3.36	110,927	43.64	52
1923.....	183,751,006	114,929,647	5,449,950	3.37	124,222	47.42	56
1924.....	172,407,464	104,266,615	5,153,188	3.35	117,663	49.42	52
1925.....	180,735,461	94,785,225	5,412,801	3.34	122,845	57.11	52

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	113,354,640	346.38	2,084,129	979,126	19.81	187.80
1912.....	113,557,900	367.13	2,150,819	989,427	20.30	190.80
1913.....	116,599,149	394.48	2,305,030	1,010,480	20.82	192.89
1914.....	116,699,422	408.24	2,330,028	1,175,302	21.25	193.06
1915.....	100,624,143	448.50	2,172,440	1,155,945	21.78	204.01
1916.....	105,627,557	527.62	2,533,467	1,192,331	23.07	207.14
Dec. 31—						
1916.....	108,372,204	543.84	2,622,821	1,170,957	23.53	207.02
1917.....	115,675,895	566.21	2,704,594	1,241,017	25.28	209.65
1918.....	120,761,237	573.71	2,666,948	1,347,911	<sup>1</sup> 29.43	211.26
1919.....	101,359,788	602.41	2,450,584	1,142,124	<sup>1</sup> 28.45	208.96
1920.....	119,489,118	619.71	2,754,569	1,373,045	<sup>1</sup> 30.31	220.71
1921.....	100,975,009	572.34	2,267,572	1,373,697	<sup>1</sup> 29.03	224.01
1922.....	109,808,041	614.89	2,623,057	1,377,284	<sup>1</sup> 28.88	221.28
1923.....	126,516,430	628.85	3,053,375	1,634,422	<sup>1</sup> 29.47	214.24
1924.....	123,623,101	648.02	3,069,640	1,736,884	<sup>1</sup> 29.22	215.18
1925.....	131,620,622	680.14	3,369,820	1,994,841	<sup>1</sup> 29.72	216.93

<sup>1</sup> Includes nonrevenue tonnage.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911–1925, by districts—Continued*

## WESTERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation—rail line	
June 30—						
1911.....	\$1, 129, 935, 133	\$759, 025, 696	\$148, 777, 016	\$152, 429, 616	\$381, 833, 750	\$319, 345, 042
1912.....	1, 126, 814, 162	765, 525, 804	146, 732, 090	153, 913, 315	387, 236, 874	305, 568, 368
1913.....	1, 265, 898, 879	844, 952, 754	167, 102, 266	179, 138, 765	418, 073, 755	360, 458, 090
1914.....	1, 228, 317, 706	840, 782, 090	167, 206, 549	182, 087, 781	409, 077, 949	316, 938, 601
1915.....	1, 176, 252, 791	790, 407, 649	152, 397, 606	181, 812, 053	388, 956, 114	315, 564, 561
1916.....	1, 354, 805, 584	861, 373, 499	175, 478, 955	201, 275, 872	412, 616, 390	416, 924, 135
Dec. 31—						
1916.....	1, 452, 279, 142	915, 072, 046	182, 524, 115	216, 842, 139	442, 102, 038	456, 049, 664
1917.....	1, 622, 630, 667	1, 078, 422, 725	189, 220, 478	247, 457, 257	560, 417, 272	439, 369, 735
1918.....	1, 889, 508, 431	1, 479, 499, 845	266, 470, 907	394, 454, 219	733, 348, 466	307, 523, 655
1919.....	2, 056, 681, 375	1, 672, 455, 685	325, 678, 825	438, 145, 116	809, 306, 949	255, 355, 400
1920.....	2, 453, 906, 458	2, 187, 841, 118	450, 562, 999	555, 127, 075	1, 052, 200, 197	108, 867, 008
1921.....	2, 178, 605, 294	1, 739, 860, 450	315, 971, 661	453, 038, 290	845, 983, 156	278, 474, 895
1922.....	2, 127, 113, 508	1, 645, 969, 776	301, 595, 157	432, 201, 761	793, 595, 294	317, 712, 188
1923.....	2, 309, 383, 833	1, 764, 025, 771	322, 797, 240	494, 413, 142	822, 482, 253	367, 064, 712
1924.....	2, 231, 208, 135	1, 671, 455, 184	320, 361, 854	442, 998, 220	779, 804, 948	371, 398, 767
1925.....	2, 261, 329, 593	1, 659, 225, 909	313, 311, 122	435, 695, 481	774, 720, 028	407, 343, 636
Freight service statistics						
Year ended—	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$746, 935, 610	(1)	414, 807, 112	79, 465, 639	0. 939	675, 601
1912.....	746, 729, 465	(1)	423, 695, 058	82, 888, 199	. 900	694, 384
1913.....	857, 737, 292	(1)	494, 475, 308	96, 986, 976	. 884	788, 265
1914.....	823, 842, 230	346, 100, 071	481, 263, 714	92, 294, 884	. 892	738, 714
1915.....	798, 767, 927	316, 381, 097	449, 329, 900	90, 945, 572	. 878	713, 718
1916.....	944, 681, 639	386, 148, 438	548, 672, 263	112, 156, 323	. 842	871, 122
Dec. 31—						
1916.....	1, 030, 480, 729	416, 673, 648	597, 922, 728	123, 250, 722	. 836	953, 874
1917.....	1, 138, 719, 965	434, 696, 704	641, 821, 656	138, 128, 066	. 824	1, 050, 948
1918.....	1, 343, 193, 037	431, 835, 362	646, 612, 115	142, 335, 128	. 944	1, 086, 706
1919.....	1, 429, 009, 087	376, 837, 348	580, 247, 502	130, 175, 633	1. 098	992, 791
1920.....	1, 694, 669, 930	424, 507, 651	657, 982, 457	144, 862, 930	1. 170	1, 101, 909
1921.....	1, 544, 926, 478	313, 250, 370	489, 655, 851	108, 658, 099	1. 422	824, 580
1922.....	1, 531, 517, 250	362, 918, 666	550, 893, 389	118, 510, 505	1. 292	896, 042
1923.....	1, 681, 680, 679	431, 500, 110	657, 112, 479	137, 034, 193	1. 227	1, 035, 443
1924.....	1, 644, 461, 601	414, 812, 495	642, 062, 002	136, 025, 389	1. 208	1, 025, 387
1925.....	1, 702, 204, 238	434, 217, 872	672, 210, 065	142, 396, 595	1. 195	1, 067, 320

<sup>1</sup> Not separated by districts.

TABLE XII.—Selected data from annual reports of Class 1 steam railways, 1911–1925, by districts—Continued

## WESTERN DISTRICT—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$279, 230, 778	253, 491, 313	13, 137, 531	2. 12	111, 695	51. 82	54
1912.....	273, 813, 317	245, 913, 573	12, 693, 093	2. 15	106, 337	51. 62	51
1913.....	294, 198, 081	260, 013, 599	13, 403, 687	2. 19	108, 939	51. 55	52
1914.....	291, 075, 660	271, 829, 717	13, 633, 091	2. 13	109, 129	50. 15	52
1915.....	267, 278, 536	256, 506, 785	12, 840, 808	2. 08	100, 771	50. 06	51
1916.....	286, 749, 088	261, 726, 090	13, 902, 078	2. 06	107, 854	53. 12	53
Dec. 31—							
1916.....	292, 100, 405	261, 587, 554	13, 384, 734	2. 18	103, 588	51. 17	51
1917.....	340, 980, 092	274, 906, 753	15, 291, 843	2. 23	117, 344	55. 63	58
1918.....	396, 617, 026	265, 804, 918	15, 754, 954	2. 52	120, 287	59. 27	65
1919.....	473, 456, 629	297, 407, 151	17, 788, 104	2. 66	135, 662	59. 81	74
1920.....	526, 091, 040	306, 123, 601	18, 308, 713	2. 87	139, 228	59. 79	72
1921.....	441, 783, 047	243, 342, 157	13, 504, 029	3. 27	102, 479	55. 49	57
1922.....	396, 976, 124	219, 016, 354	12, 531, 273	3. 17	94, 747	57. 22	55
1923.....	415, 125, 825	216, 758, 377	13, 284, 839	3. 13	100, 382	61. 29	56
1924.....	379, 156, 301	198, 473, 027	12, 370, 375	3. 07	93, 250	62. 33	52
1925.....	355, 649, 273	177, 290, 888	11, 953, 614	2. 97	89, 597	67. 42	51

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	223, 123, 244	332. 08	4, 675, 337	1, 892, 300	17. 00	191. 57
1912.....	215, 844, 643	356. 41	4, 709, 684	1, 869, 348	17. 60	195. 63
1913.....	233, 266, 904	386. 74	5, 251, 230	2, 065, 691	18. 47	196. 14
1914.....	216, 715, 704	393. 57	5, 042, 978	2, 165, 799	18. 30	191. 76
1915.....	207, 414, 095	402. 28	4, 981, 181	2, 230, 632	18. 26	202. 40
1916.....	230, 973, 890	448. 17	5, 759, 962	2, 362, 570	19. 47	204. 41
Dec. 31—						
1916.....	244, 557, 938	467. 07	6, 175, 551	2, 357, 125	19. 96	206. 13
1917.....	256, 558, 945	500. 30	6, 373, 039	2, 475, 516	21. 67	215. 21
1918.....	246, 481, 147	535. 04	5, 951, 581	2, 618, 250	<sup>1</sup> 26. 86	220. 12
1919.....	231, 880, 792	519. 99	5, 861, 961	2, 564, 260	<sup>1</sup> 24. 92	224. 35
1920.....	255, 037, 260	530. 45	6, 253, 396	2, 850, 362	<sup>1</sup> 26. 21	220. 16
1921.....	211, 503, 063	482. 89	5, 073, 574	2, 850, 346	<sup>1</sup> 24. 82	221. 91
1922.....	218, 196, 306	510. 65	5, 569, 997	2, 641, 978	<sup>1</sup> 24. 28	215. 12
1923.....	247, 000, 917	525. 19	6, 418, 542	3, 346, 625	<sup>1</sup> 24. 63	208. 54
1924.....	232, 495, 783	552. 43	6, 387, 493	3, 312, 659	<sup>1</sup> 24. 22	211. 86
1925.....	232, 292, 281	578. 89	6, 709, 248	3, 577, 587	<sup>1</sup> 23. 93	211. 83

<sup>1</sup> Includes nonrevenue tonnage.



## B. STATISTICS FROM MONTHLY AND OTHER PERIODICAL REPORTS OF CARRIERS

The figures in this section are derived from monthly or quarterly reports of certain classes of carriers, and yearly totals, for various reasons mostly evident from table headings and footnotes, may not be in exact agreement with totals of similar character in Section A, which come from other sources.

TABLE A.—*Railway operating revenues, railway operating expenses, and net railway operating income, 1921-1926, Class I steam railways, including switching and terminal companies*

Item	1926	1925	1924	1923	1922	1921
Miles of road operated....	236,906.30	237,048.48	236,279.26	235,825.26	235,591.98	235,234.82

### RAILWAY OPERATING REVENUES

January.....	\$480,995,458	\$485,018,679	\$468,986,207	\$502,541,899	\$395,777,433	\$470,388,976
February.....	460,204,237	455,185,486	479,453,967	446,948,870	401,576,772	406,495,579
March.....	530,453,465	486,667,863	505,371,387	535,826,390	475,246,724	459,048,326
April.....	499,661,968	473,691,854	475,232,145	523,303,671	417,140,348	433,398,073
May.....	517,422,591	488,962,071	477,528,664	548,112,916	449,442,968	444,859,511
June.....	539,864,685	507,021,059	465,669,829	541,323,832	474,034,095	461,585,290
July.....	556,514,940	522,454,181	481,826,030	536,307,145	443,840,164	462,939,693
August.....	578,822,690	555,493,700	508,505,818	564,528,891	474,087,182	505,732,265
September.....		565,451,807	541,046,827	546,061,710	500,882,771	498,347,764
October.....		591,313,021	572,872,494	587,914,150	550,280,123	536,722,654
November.....		532,826,717	505,889,207	531,988,659	523,607,879	465,933,394
December.....		524,007,385	505,176,444	494,614,715	513,564,071	425,275,459
12 months.....		<sup>1</sup> 6,186,608,567	<sup>1</sup> 5,987,662,226	<sup>1</sup> 6,360,423,213	<sup>1</sup> 5,620,401,722	<sup>1</sup> 5,573,153,133

### RAILWAY OPERATING EXPENSES

January.....	\$378,648,714	\$383,961,979	\$385,092,005	\$408,977,516	\$337,632,090	\$442,196,328
February.....	360,590,396	355,685,829	374,916,106	376,006,623	324,571,547	384,645,882
March.....	396,473,052	377,400,851	390,601,930	417,926,988	361,163,179	400,111,187
April.....	384,833,080	370,777,262	377,826,934	404,148,050	336,425,035	375,096,712
May.....	388,763,270	375,999,428	381,485,741	421,389,901	355,508,552	379,865,276
June.....	390,190,451	376,064,312	364,228,757	416,748,290	364,278,517	380,856,293
July.....	395,293,864	382,924,789	370,100,487	414,945,704	341,081,191	362,756,274
August.....	399,329,822	388,898,352	373,671,183	427,453,221	387,370,353	382,105,901
September.....		388,096,129	381,791,849	416,665,241	408,912,930	377,767,143
October.....		410,351,842	404,038,275	445,340,570	429,077,737	397,958,795
November.....		384,514,104	374,410,338	406,956,602	405,844,514	368,087,471
December.....		389,650,111	381,474,784	388,154,013	405,033,227	351,450,080
12 months.....		<sup>1</sup> 4,583,255,610	<sup>1</sup> 4,559,794,409	<sup>1</sup> 4,945,135,398	<sup>1</sup> 4,457,622,473	<sup>1</sup> 4,603,806,907

### MAINTENANCE OF WAY AND STRUCTURES

January.....	\$58,783,090	\$56,967,451	\$55,332,831	\$52,885,419	\$48,714,722	\$60,756,654
February.....	58,872,162	55,011,942	54,419,439	48,418,007	46,600,099	53,316,603
March.....	66,639,331	61,052,110	59,603,843	57,225,907	53,276,591	61,599,020
April.....	71,931,417	68,140,897	68,036,804	65,274,165	59,211,633	59,098,686
May.....	76,955,161	72,514,854	73,788,172	74,647,956	68,074,408	65,995,833
June.....	79,944,773	74,728,875	71,478,577	77,220,208	70,465,977	69,183,317
July.....	80,335,653	75,035,380	73,192,532	76,556,558	65,616,403	65,177,102
August.....	81,180,931	77,503,539	73,026,188	80,835,583	68,743,033	71,941,028
September.....		76,754,627	72,883,295	76,687,125	67,717,310	72,748,042
October.....		77,158,242	75,537,116	81,638,412	68,957,794	72,661,765
November.....		66,402,072	65,740,125	68,678,359	61,705,004	62,245,638
December.....		68,832,421	59,566,639	61,780,402	56,937,745	49,212,451
12 months.....		<sup>1</sup> 824,892,860	<sup>1</sup> 802,672,810	<sup>1</sup> 821,912,978	<sup>1</sup> 736,181,212	<sup>1</sup> 764,662,651

<sup>1</sup> Includes certain corrections not appearing in monthly figures.

TABLE A.—*Railway operating revenues, railway operating expenses, and net railway operating income, 1921-1926, Class I steam railways, including switching and terminal companies—Continued*

## MAINTENANCE OF EQUIPMENT

	1926	1925	1924	1923	1922	1921
January.....	\$105,442,865	\$108,457,911	\$110,322,360	\$123,031,713	\$93,636,110	\$124,077,708
February.....	100,851,424	101,513,614	107,006,053	112,125,967	91,948,480	108,220,839
March.....	112,942,784	108,959,835	113,306,273	126,248,629	106,195,148	107,753,561
April.....	108,312,103	104,688,524	107,510,647	119,742,105	96,074,779	101,420,846
May.....	106,845,800	103,447,684	104,911,270	125,687,122	100,876,316	101,100,850
June.....	106,184,898	103,159,577	99,222,857	124,460,548	102,426,771	99,687,504
July.....	106,634,089	105,258,040	99,470,797	121,902,373	78,693,449	95,277,725
August.....	107,863,564	105,499,971	101,552,114	127,645,093	104,154,917	105,403,201
September.....	-----	104,474,722	105,043,443	125,040,683	120,010,849	103,778,465
October.....	-----	110,427,491	113,273,572	133,706,111	130,485,765	112,191,535
November.....	-----	104,538,546	102,957,000	120,640,068	118,405,794	104,230,503
December.....	-----	108,690,170	106,132,270	113,318,429	116,994,179	93,549,456
12 months.....	-----	<sup>1</sup> 1,268,724,179	<sup>1</sup> 1,270,717,504	<sup>1</sup> 1,473,564,764	<sup>1</sup> 1,259,996,915	<sup>1</sup> 1,256,338,463

## TRANSPORTATION EXPENSES

	1926	1925	1924	1923	1922	1921
January.....	\$186,742,899	\$191,886,193	\$193,820,792	\$208,485,557	\$171,296,092	\$230,812,638
February.....	173,649,224	173,749,658	188,782,705	192,098,865	163,491,812	198,333,166
March.....	188,572,508	181,068,374	192,201,137	209,893,318	177,679,827	204,799,420
April.....	176,378,773	171,738,275	177,595,365	195,125,461	157,784,242	188,828,167
May.....	176,741,789	173,436,739	177,219,035	196,436,637	162,918,019	188,969,442
June.....	175,189,410	170,639,621	167,863,910	189,751,818	167,035,236	186,612,715
July.....	179,685,545	175,229,948	171,482,746	191,571,164	172,755,915	178,239,301
August.....	181,842,860	178,979,461	173,795,746	194,122,539	190,922,853	180,830,319
September.....	-----	180,084,571	178,461,428	189,915,227	197,902,477	177,700,887
October.....	-----	193,635,782	189,443,364	204,386,676	205,920,283	189,465,425
November.....	-----	186,369,389	180,605,457	192,856,779	202,107,227	178,643,455
December.....	-----	189,298,648	189,990,170	187,042,543	205,821,569	185,366,020
12 months.....	-----	<sup>1</sup> 2,165,666,936	<sup>1</sup> 2,181,295,655	<sup>1</sup> 2,352,021,895	<sup>1</sup> 2,176,016,900	<sup>1</sup> 2,288,454,499

NET RAILWAY OPERATING INCOME <sup>1</sup>

(Italics indicate loss)

	1926	1925	1924	1923	1922	1921
January.....	\$65,724,560	\$66,060,177	\$51,387,222	\$61,128,977	\$29,631,626	\$1,525,630
February.....	63,289,297	65,151,052	71,605,150	39,274,897	47,701,740	<i>5,164,971</i>
March.....	94,522,958	73,375,267	80,320,046	84,124,311	83,483,103	30,807,065
April.....	76,281,629	66,465,322	62,298,528	83,515,322	49,973,793	29,856,640
May.....	88,105,476	76,154,267	60,929,532	90,320,873	62,147,010	36,943,236
June.....	107,335,655	92,148,573	65,801,266	88,272,720	76,270,672	51,067,115
July.....	116,895,312	99,668,612	74,368,186	84,935,306	69,320,528	69,324,196
August.....	133,008,271	124,943,509	95,706,868	98,934,054	52,205,411	90,160,202
September.....	-----	134,584,916	117,017,915	92,476,568	58,677,633	87,606,375
October.....	-----	137,699,986	127,223,443	103,775,627	85,137,059	105,520,776
November.....	-----	106,942,819	93,396,435	86,775,979	83,222,648	66,868,122
December.....	-----	94,667,277	86,694,763	70,045,544	79,037,485	<sup>2</sup> 49,656,627
12 months.....	-----	<sup>1</sup> 1,136,984,243	<sup>1</sup> 986,717,759	<sup>1</sup> 983,736,225	<sup>1</sup> 776,880,593	<sup>4</sup> 615,945,614

<sup>1</sup> Includes certain corrections not appearing in monthly figures.<sup>2</sup> For meaning of this term, see page 107, Table V, footnote 2.<sup>3</sup> Includes net credit of approximately \$4,068,000, representing adjustments on account of closing out of guaranty period reserves. Report of adjustments not received from one road.<sup>4</sup> Includes net debit of approximately \$488,000, representing adjustments on account of closing out of guaranty period reserves. Report of adjustments not received from one road. See also footnote 1.

TABLE B.—*Ratio of expenses to revenues, Class I steam railways, 1911–1926, by district, excluding switching and terminal companies*

Year ended—	United States	Eastern district	Southern district	Western district
June 30—	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
1911.....	68.50	70.35	68.40	66.56
1912.....	69.19	70.27	71.06	67.29
1913.....	69.33	71.34	71.82	66.23
1914.....	72.05	75.71	72.58	67.90
1915.....	70.35	72.42	73.09	67.09
1916.....	65.33	66.65	66.38	63.43
Dec. 31—				
1916.....	65.50	67.96	65.15	62.87
1917.....	70.44	74.93	68.04	66.38
1918.....	81.35	85.60	77.65	77.91
1919.....	85.06	88.31	86.99	80.69
1920.....	94.38	99.37	93.44	89.16
1921.....	82.71	84.63	84.39	79.86
1922.....	79.41	81.85	77.43	77.38
1923.....	77.83	79.20	77.15	76.39
1924.....	76.13	77.61	74.93	74.91
1925.....	74.10	75.67	71.68	73.37
8 months, 1926.....	74.35	75.13	71.79	74.69

TABLE C.—*Analysis of operating revenues and expenses, Class I steam railways, including switching and terminal companies, 1924–1926*

Item	Eight months, January to August, inclusive		Calendar year 1925	Calendar year 1924
	1926	1925		
Operating revenues:				
Freight.....	\$3,077,846,593	\$2,901,616,994	\$4,553,065,290	\$4,349,036,142
Passenger.....	701,340,661	700,944,552	1,055,913,165	1,076,688,006
Mail.....	62,825,827	63,533,798	97,051,749	97,974,248
Express.....	92,695,518	90,041,433	145,223,077	143,403,761
All other.....	228,854,009	217,863,422	335,355,286	320,560,069
Total.....	4,163,562,603	3,974,000,199	6,186,608,567	5,987,662,226
Per cent of total:				
Freight.....	73.9	73.0	73.6	72.6
Passenger.....	16.9	17.6	17.1	18.0
Mail.....	1.5	1.6	1.6	1.6
Express.....	2.2	2.3	2.3	2.4
All other.....	5.5	5.5	5.4	5.4
Operating expenses:				
Maintenance of way and structures.....	\$574,588,433	\$540,863,711	\$824,892,860	\$802,672,810
Maintenance of equipment.....	855,305,031	840,887,427	1,268,724,179	1,270,717,504
Traffic.....	75,554,675	69,717,684	106,236,413	99,103,854
Transportation.....	1,438,608,298	1,416,458,509	2,165,666,936	2,181,295,655
General.....	123,106,773	115,782,699	176,862,548	169,289,863
All other.....	26,967,427	27,486,476	40,872,674	36,714,723
Total.....	3,094,130,637	3,011,196,506	4,583,255,610	4,559,794,409
Per cent of total:				
Maintenance of way and structures.....	18.6	18.0	18.0	17.6
Maintenance of equipment.....	27.6	27.9	27.7	27.9
Traffic.....	2.4	2.3	2.3	2.2
Transportation.....	46.5	47.0	47.2	47.8
General.....	4.0	3.9	3.9	3.7
All other.....	.9	.9	.9	.8
Railway tax accruals.....	\$253,420,509	\$232,323,404	\$363,242,428	\$344,542,188
Uncollectible railway revenue.....	1,061,328	1,156,104	1,935,948	2,327,295
Equipment rents—debit.....	53,828,333	50,142,941	78,956,622	73,251,841
Joint facility rent—debit.....	16,177,635	15,053,688	22,233,716	21,028,734
Net railway operating income.....	744,944,166	664,127,556	1,130,984,243	986,717,759



TABLE D.—*Ton-miles of freight (revenue and nonrevenue) by months, 1922–1926, Class I steam railways*

Month	1926	1925	1924	1923	1922
	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>
January.....	37,678	37,026	34,510	37,707	27,151
February.....	35,414	33,570	35,982	32,628	28,451
March.....	38,675	35,332	36,426	39,222	32,941
April.....	36,317	33,571	31,926	38,321	24,735
May.....	39,833	37,126	33,915	39,598	27,940
June.....	39,237	35,854	31,968	38,001	29,062
July.....	41,705	37,944	33,185	38,518	27,115
August.....	43,729	41,709	36,457	40,344	30,472
September.....		41,322	39,064	39,461	34,334
October.....		44,062	43,134	42,210	39,287
November.....		40,786	38,067	38,158	38,077
December.....		37,869	35,006	33,427	36,271
12 months.....		<sup>1</sup> 456,265	<sup>1</sup> 429,644	<sup>1</sup> 457,607	<sup>1</sup> 375,952

<sup>1</sup> Includes certain corrections not appearing in monthly figures.TABLE E.—*Selected operating averages in freight and passenger service of Class I steam railways in the United States, 1924–1926*

Item	Eight months, January–August		Calendar year	
	1926	1925	1925	1924
Average miles of road included.....	235,268	234,906	235,294	234,592
Net ton-miles per mile of road per day.....	5,467	5,117	5,313	5,004
Per cent of freight locomotives unserviceable.....	16.8	18.2	17.8	18.8
Per cent of freight cars unserviceable.....	6.8	8.0	7.7	7.8
Per cent loaded of total car-miles.....	63.7	64.5	64.5	65.1
Per cent eastbound or northbound of loaded car-miles.....	58.5	58.3	58.6	59.5
Car-miles per car day.....	29.6	27.4	28.3	26.8
Net ton-miles per car day.....	511	477	493	471
Net tons per loaded car.....	27.1	27.0	27.0	27.0
Cars per train.....	44.9	43.5	43.8	41.7
Gross tons per train (excluding locomotives and tenders).....	1,716	1,656	1,670	1,588
Net tons per train (including non-revenue tons).....	760	740	744	715
Average miles per hour, trains in freight service.....	12.0	11.9	11.8	11.5
Pounds of coal per 1,000 gross ton-miles (including locomotives and tenders).....	136	139	140	149
Average cost of coal per ton (including freight).....	\$2.61	\$2.75	\$2.72	\$3.03
Revenue per ton-mile.....	\$0.01088	\$0.01098	\$0.01098	\$0.01116
Average haul per revenue ton:				
Per railroad.....	183.06	180.89	181.63	181.09
United States as a system.....	( <sup>1</sup> )	( <sup>1</sup> )	331.79	327.14
Number of freight train-miles.....	411,431,255	394,713,442	612,865,171	600,662,359
Number of passenger train-miles.....	367,688,908	368,652,473	553,343,565	553,166,083
Number of passenger-train car-miles.....	2,519,268,613	2,456,370,996	3,719,114,555	3,631,650,278
Passenger-train cars per train.....	6.85	6.66	6.72	6.57
Revenue per passenger per mile:				
Including commutation passengers.....	\$0.02931	\$0.02913	\$0.02934	\$0.02978
Excluding commutation passengers.....	\$0.03330	\$0.03316	\$0.03340	\$0.03382

<sup>1</sup> Data not available.

TABLE F.—Results of operations of the Pullman Co., 1924-1926 <sup>1</sup>

Item	Nine months, January-September		Calendar year	
	1926	1925	1925	1924
Sleeping car operations:				
Total revenues.....	\$62,600,900	\$60,647,339	\$80,198,067	\$72,757,836
Total expenses.....	50,328,112	46,395,660	63,512,594	61,609,196
Net revenue.....	12,272,788	14,251,679	16,685,473	11,148,640
Auxiliary operations:				
Net revenue.....	144,980	89,055	93,558	66,859
Total net revenue.....	12,417,768	14,340,734	16,779,031	11,215,499
Taxes accrued.....	3,393,521	3,416,624	4,233,027	3,460,131
Operating income or loss.....	9,024,247	10,924,108	12,546,004	7,755,368
Statistics of car operations:				
Number of revenue passengers—				
Berth.....	17,354,704	17,072,445	22,470,751	21,419,639
Seat.....	10,148,624	9,802,993	13,055,052	12,666,117
Total.....	27,503,328	26,875,438	35,525,803	34,085,756
Number of nonrevenue passengers.....	525,808	502,846	673,895	633,719
Revenue passengers per car per day.....	11.58	11.96	11.80	12.25
Revenue per berth passenger.....	\$3.48	\$3.38	\$3.39	\$3.29
Revenue per seat passenger.....	\$0.78	\$0.77	\$0.77	\$0.76
Car-miles per car-day.....	352.69	345.39	347.08	339.16

<sup>1</sup> Statement covers car and auxiliary operations other than manufacturing plant.

TABLE G.—Average number of employees, total compensation and average compensation per annum, fiscal year ended June 30, 1926, Class I railways

Division No.	Reporting division	Average number of employees middle of month	Total compensation	Average compensation per annum
	I. EXECUTIVES, OFFICIALS, AND STAFF ASSISTANTS			
1	Executives, general officers, and assistants.....D..	7,403	\$51,661,497	\$6,978
2	Division officers, assistants, and staff assistants.....D..	9,267	37,038,102	3,997
	Total (executives, officials, and staff assistants).....D..	16,670	88,699,599	5,321
	II. PROFESSIONAL, CLERICAL, AND GENERAL			
3	Architectural, chemical, and engineering assistants (A).....D..	2,989	8,767,271	2,933
4	Architectural, chemical, and engineering assistants (B).....D..	4,074	9,131,176	2,241
5	Subprofessional engineering and laboratory assistants.....D..	3,741	6,069,594	1,622
6	Professional and subprofessional legal assistants.....D..	558	1,525,506	2,734
7	Supervisory or chief clerks (major departments).....D..	5,114	14,515,430	2,838
8	Chief clerks (minor departments) and assistant chief clerks and supervising cashiers.....D..	13,138	29,116,833	2,216
9	Clerks and clerical specialists (A).....D..	13,410	26,133,662	1,949
10	Clerks (B).....D..	134,329	208,760,819	1,554
11	Clerks (C).....D..	19,176	23,704,077	1,236
12	Mechanical device operators (office).....D..	8,270	10,799,041	1,306
13	Stenographers and secretaries (A).....D..	3,585	6,561,026	1,830
14	Stenographers and typists (B).....D..	21,649	30,452,821	1,407
15	Storekeepers, sales agents, and buyers.....D..	3,268	6,738,366	2,062
16	Ticket agents and assistant ticket agents.....D..	1,652	3,519,877	2,131
17	Traveling auditors or accountants.....D..	1,994	5,059,176	2,537
18	Telephone switchboard operators and office assistants.....D..	5,177	4,742,070	916
19	Messengers and office boys.....D..	6,610	4,627,200	700
20	Elevator operators and other office attendants.....D..	1,225	1,237,462	1,010
21	Lieutenants and sergeants of police.....D..	2,513	5,176,497	2,060
22	Patrolmen.....D..	5,887	10,398,040	1,766
23	Watchmen (without police authority).....D..	3,310	4,087,538	1,235
24	Supervising traffic agents.....D..	1,634	5,942,450	3,637
25	Traffic agents, advertising and development agents.....D..	6,743	17,522,950	2,599
26	Fire prevention, smoke, and time-service inspectors, and office building superintendents.....D..	419	1,019,040	2,432
27	Claim agents and claim investigators.....D..	1,810	4,699,251	2,596
28	Real estate and tax agents and investigators.....D..	387	1,053,741	2,723
29	Examiners, instructors, and special investigators.....D..	554	1,550,539	2,799
30	Miscellaneous trades workers (other than plumbers).....D..	652	1,106,763	1,697

TABLE G.—Average number of employees, total compensation and average compensation per annum, fiscal year ended June 30, 1926, Class I railways—Continued

Division No.	Reporting division	Average number of employees middle of month	Total compensation	Average compensation per annum
<b>II. PROFESSIONAL, CLERICAL, AND GENERAL—continued</b>				
31	Motor vehicle and motor car operators.....	1,387	\$1,830,787	\$1,320
32	Teamsters and stablemen.....	112	169,592	1,514
33	Janitors and cleaners.....	7,874	7,347,388	933
	Total (professional, clerical, and general):			
	Daily basis.....	52,278	115,776,654	2,215
	Hourly basis.....	230,963	347,589,329	1,605
<b>III. MAINTENANCE OF WAY AND STRUCTURES</b>				
34	Roadmasters and general foremen.....D..	3,332	9,928,447	2,980
35	Assistant general foremen.....D.....	348	923,753	2,655
36	Supervising maintenance of way inspectors and scale inspectors.....D.....	331	747,497	2,258
37	Maintenance of way inspectors.....	663	1,423,684	2,147
38	Bridge and building gang foremen (skilled labor).....	5,514	11,220,990	2,035
39	Bridge and building carpenters.....	23,037	33,810,336	1,468
40	Bridge and building ironworkers.....	1,044	1,831,692	1,754
41	Bridge and building painters.....	3,237	4,594,986	1,420
42	Masons, bricklayers, plasterers, and plumbers.....	2,269	4,112,857	1,813
43	Skilled trades helpers.....	10,803	12,642,714	1,170
44	Regular apprentices.....	91	90,685	997
45	Portable steam equipment operators.....	2,338	4,605,594	1,970
46	Portable steam equipment operator helpers.....	851	1,181,094	1,388
47	Pumping equipment operators.....	5,601	5,596,084	999
48	Gang foremen (extra gang and work-train laborers).....	4,354	7,305,834	1,678
49	Gang foremen (bridge and building, signal and telegraph laborers).....	617	1,267,033	2,054
50	Gang or section foremen.....	39,546	59,741,933	1,511
51	Laborers (extra gang and work-train).....	61,192	57,182,894	934
52	Track and roadway section laborers.....	207,917	182,681,916	879
53	Maintenance of way laborers (other than track and roadway) and gardeners and farmers.....	8,651	7,874,497	910
54	General foremen and supervising inspectors (signal, telegraph, and electrical transmission).....D.....	516	1,570,692	3,044
55	Assistant general foremen (signal, telegraph, and electrical transmission) and signal and telegraph inspectors.....D.....	609	1,602,019	2,631
56	Gang foremen (signal and telegraph skilled trades labor).....	1,445	3,416,962	2,365
57	Signalmen and signal maintainers.....	8,910	10,932,544	1,900
58	Linemen and groundmen.....	2,663	4,734,764	1,778
59	Assistant signalmen and assistant signal maintainers.....	3,063	4,400,955	1,437
60	Signalman and signal maintainer helpers.....	3,796	4,556,047	1,200
	Total (maintenance of way and structures):			
	Daily basis.....	4,805	14,024,941	2,919
	Hourly basis.....	397,933	431,953,592	1,085
<b>IV. MAINTENANCE OF EQUIPMENT AND STORES</b>				
61	General foremen (maintenance of equipment).....D.....	1,483	5,357,531	3,613
62	Assistant general foremen and department foremen (maintenance of equipment).....D.....	11,434	35,524,003	3,107
63	General foremen (stores).....D.....	304	646,176	2,126
64	Assistant general foremen (stores).....D.....	177	350,956	1,983
65	Equipment, shop, and electrical inspectors (maintenance of equipment).....D.....	1,676	4,392,986	2,621
66	Material and supplies inspectors.....D.....	1,878	3,989,704	2,124
67	Gang foremen and gang leaders (skilled labor).....D.....	11,709	30,585,802	2,612
68	Blacksmiths.....	9,107	16,527,237	1,815
69	Boiler makers.....	19,561	37,206,752	1,902
70	Carmen (A).....	22,231	39,890,768	1,794
71	Carmen (B).....	4,374	7,654,977	1,750
72	Carmen (C).....	85,611	147,204,671	1,719
73	Carmen (D).....	2,243	3,568,344	1,591
74	Electrical workers (A).....	6,938	13,597,228	1,960
75	Electrical workers (B).....	2,737	4,940,495	1,805
76	Electrical workers (C).....	278	523,141	1,882
77	Machinists.....	60,806	113,798,752	1,872
78	Molders.....	1,272	2,273,307	1,787
79	Sheet-metal workers.....	11,572	21,602,783	1,867
80	Skilled trades helpers (maintenance of equipment and stores).....	113,917	148,530,888	1,304
81	Helper apprentices (maintenance of equipment and stores).....	8,162	10,669,839	1,307
82	Regular apprentices (maintenance of equipment and stores).....	14,067	13,110,528	932
83	Gang foremen laborers (shops, engine houses, power plants, and stores).....	4,203	6,766,215	1,610
84	Coach cleaners.....	12,846	14,249,005	1,109
85	Laborers (shops, engine houses, and power plants).....	43,203	48,918,058	1,132
86	Common laborers (shops, engine houses, power plants, and stores).....	59,682	57,831,663	969



TABLE G.—Average number of employees, total compensation and average compensation per annum, fiscal year ended June 30, 1926, Class I railways—Continued

Division No.	Reporting division	Average number of employees middle of month	Total compensation	Average compensation per annum
<b>IV. MAINTENANCE OF EQUIPMENT AND STORES—continued</b>				
87	Stationary engineers (steam).....	2,554	\$4,959,361	\$1,942
88	Stationary firemen and oilers (steam and electrical plants).....	5,598	8,822,465	1,576
89	Coal passers and water tenders (steam station boiler rooms).....	592	893,193	1,357
	Total (maintenance of equipment and stores):			
	Daily basis.....	16,952	50,261,356	2,965
	Hourly basis.....	503,263	754,035,472	1,498
<b>V. TRANSPORTATION (OTHER THAN TRAIN, ENGINE, AND YARD)</b>				
90	Chief train dispatchers, train dispatchers, and train directors.....	5,391	17,376,088	3,223
91	Station agents (supervisory—major stations—nontelegraphers).....	2,490	7,526,030	3,023
92	Station agents (supervisory—smaller stations—nontelegraphers).....	5,406	11,293,265	2,089
93	Station agents (nonsupervisory—smaller stations—nontelegraphers).....	3,676	4,478,156	1,218
94	Station agents (telegraphers and telephoners).....	19,249	33,637,896	1,748
95	Chief telegraphers and telephoners or wire chiefs.....	842	2,033,369	2,415
96	Clerk-telegraphers and clerk-telephoners.....	13,636	23,530,363	1,726
97	Telegraphers, telephoners, and towermen.....	25,800	46,150,358	1,789
98	Station masters and assistants.....	515	1,260,397	2,447
99	Supervising baggage agents.....	129	230,710	2,176
100	Baggage agents and assistants.....	776	1,286,775	1,658
101	Baggage, parcel room, and station attendants.....	9,371	11,438,883	1,221
102	General foremen (freight stations, warehouses, grain elevators, and docks).....	558	1,209,242	2,167
103	Assistant general foremen (freight stations, warehouses, grain elevators, and docks).....	450	863,366	1,919
104	Gang foremen (freight station, warehouse, grain elevator, and dock labor).....	3,577	6,124,377	1,712
105	Callers, loaders, scalers, sealers, and perishable freight inspectors.....	15,737	20,417,541	1,297
106	Truckers (stations, warehouses, and platforms).....	39,366	43,852,982	1,114
107	Laborers (coal and ore docks and grain elevators).....	1,513	2,236,170	1,478
108	Common laborers (stations, warehouses, platforms, and grain elevators).....	4,178	4,542,909	1,087
109	Stewards, restaurant and lodging-house managers, and dining-car supervisors.....	1,687	3,368,555	1,997
110	Chefs and first cooks (dining cars and restaurants).....	1,603	2,784,535	1,737
111	Second and third cooks (dining cars and restaurants).....	2,910	3,477,745	1,195
112	Waiters and lodging-house attendants.....	6,857	5,659,702	825
113	Camp and crew cooks and kitchen helpers.....	3,710	3,388,946	913
114	Barge, lighter, and gasoline launch officers and workers.....	2,079	3,932,128	1,891
115	Deck officers (ferryboats and towing vessels).....	906	2,249,597	2,483
116	Engine-room officers (ferryboats and towing vessels).....	877	2,130,734	2,430
117	Deck and engine-room workers (ferryboats and towing vessels).....	4,364	6,782,657	1,554
118	Deck and engine-room officers and workers (steamers).....	1,284	1,248,947	973
119	Floating equipment shore workers and attendants.....	981	1,336,998	1,363
120	Transportation and dining service inspectors.....	926	2,260,295	2,441
121	Parlor and sleeping car conductors.....	57	119,902	2,104
122	Train attendants.....	3,521	4,053,887	1,146
123	Bridge operators and helpers.....	1,373	1,827,107	1,331
124	Crossing and bridge flagmen and gatemen.....	22,484	20,276,613	902
125	Foremen (laundry) and laundry workers.....	398	413,142	1,038
	Total (transportation—other than train, engine, and yard):			
	Daily basis.....	26,544	31,604,045	1,191
	Hourly basis.....	182,133	273,226,322	1,500
<b>VI (A). TRANSPORTATION (YARDMASTERS, SWITCH TENDERS, AND HOSTLERS)</b>				
126	Yardmasters and assistants.....	6,997	21,856,558	3,124
127	Switch tenders.....	5,730	9,583,372	1,672
128	Outside hostlers.....	2,628	5,932,114	2,257
129	Inside hostlers.....	6,674	12,667,054	1,898
130	Outside hostler helpers.....	2,049	3,589,709	1,752
	Total (transportation—yardmasters, switch tenders, and hostlers):			
	Daily basis.....	6,997	21,856,558	3,124
	Hourly basis.....	17,081	31,772,249	1,860
	Total all groups (except train and engine):			
	Daily basis.....	124,246	322,223,153	2,593
	Hourly basis.....	1,331,373	1,838,576,964	1,381

**TABLE G.—Average number of employees, total compensation and average compensation per annum, fiscal year ended June 30, 1926, Class I railways—Continued**

Division No.	Reporting division	Average number of employees middle of month	Total compensation	Average compensation per annum
VI (B). TRANSPORTATION (TRAIN AND ENGINE)				
131	Road passenger conductors.....	10, 509	\$31, 028, 084	\$2, 953
132	Assistant road passenger conductors and ticket collectors.....	1, 219	2, 998, 945	2, 460
133	} Road freight conductors.....	25, 292	70, 395, 936	2, 783
134				
135	Road passenger baggagemen.....	5, 776	12, 853, 821	2, 225
136	Road passenger brakemen and flagmen.....	14, 117	28, 352, 763	2, 008
137	} Road freight brakemen and flagmen.....	60, 619	126, 706, 967	2, 090
138				
139	Yard conductors and yard foremen.....	21, 674	52, 012, 193	2, 400
140	Yard brakemen and yard helpers.....	54, 114	110, 585, 561	2, 044
141	Road passenger engineers and motormen.....	12, 979	41, 653, 564	3, 209
142	} Road freight engineers and motormen.....	31, 025	99, 082, 377	3, 194
143				
144	Yard engineers and motormen.....	21, 842	54, 637, 993	2, 502
145	Road passenger firemen and helpers.....	12, 526	30, 168, 769	2, 408
146	} Road freight firemen and helpers.....	33, 085	74, 628, 386	2, 256
147				
148	Yard firemen and helpers.....	22, 338	42, 198, 025	1, 889
Total (transportation—train and engine).....		327, 115	777, 303, 384	2, 376
Grand total, all employees.....		1, 782, 734	2, 938, 103, 501	1, 648

**TABLE H.—Tonnage of commodities originating on Class I steam railways, 1925–26**

Commodity	January–June, 1926		January–June, 1925		Calendar year 1925	
	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total
<b>PRODUCTS OF AGRICULTURE</b>						
Wheat.....	7, 015, 410	1.16	7, 452, 868	1.29	21, 548, 339	1.73
Corn.....	7, 403, 651	1.22	6, 456, 453	1.12	12, 680, 248	1.02
Oats.....	3, 304, 314	.55	3, 735, 502	.65	8, 450, 144	.68
Other grain.....	1, 737, 828	.29	1, 668, 505	.29	4, 563, 859	.36
Flour and meal.....	4, 583, 858	.76	4, 649, 086	.81	9, 901, 260	.79
Other mill products.....	4, 937, 528	.82	4, 815, 711	.83	9, 577, 683	.77
Hay, straw, and alfalfa.....	2, 677, 871	.44	2, 773, 785	.48	5, 506, 935	.44
Tobacco.....	500, 892	.08	518, 743	.09	1, 038, 156	.08
Cotton.....	1, 325, 007	.22	1, 220, 314	.21	4, 126, 687	.33
Cottonseed and products, except oil.....	2, 181, 626	.36	1, 750, 860	.30	5, 848, 544	.47
Citrus fruits.....	883, 723	.15	871, 628	.15	1, 359, 211	.11
Other fresh fruits.....	1, 420, 721	.23	1, 227, 919	.21	5, 867, 981	.47
Potatoes.....	1, 955, 881	.32	2, 287, 489	.40	4, 614, 224	.37
Other fresh vegetables.....	1, 386, 410	.23	1, 404, 950	.24	2, 826, 287	.23
Dried fruits and vegetables.....	582, 307	.10	455, 607	.08	1, 532, 816	.12
Other products of agriculture.....	2, 110, 830	.35	1, 826, 764	.32	9, 823, 914	.79
Total.....	44, 007, 857	7.28	43, 116, 184	7.47	109, 266, 288	8.76
<b>ANIMALS AND PRODUCTS</b>						
Horses and mules.....	270, 199	.05	253, 915	.04	544, 137	.04
Cattle and calves.....	3, 830, 390	.63	3, 881, 438	.67	9, 330, 639	.75
Sheep and goats.....	496, 496	.08	502, 946	.09	1, 223, 623	.10
Hogs.....	2, 792, 056	.46	2, 994, 265	.52	5, 501, 469	.44
Fresh meats.....	1, 468, 868	.24	1, 448, 467	.25	2, 903, 545	.23
Other packing-house products.....	1, 016, 498	.17	1, 077, 167	.19	2, 139, 426	.17
Poultry.....	151, 599	.03	133, 428	.02	357, 056	.03
Eggs.....	413, 930	.07	302, 851	.07	590, 907	.05
Butter and cheese.....	356, 125	.06	325, 302	.06	686, 054	.06
Wool.....	138, 709	.02	134, 605	.02	263, 207	.02
Hides and leather.....	478, 339	.08	527, 065	.09	1, 026, 079	.08
Other animals and products.....	916, 961	.15	871, 493	.15	1, 757, 720	.14
Total.....	12, 330, 170	2.04	12, 542, 942	2.17	26, 323, 862	2.11



TABLE H.—*Tonnage of commodities originating on Class I steam railways, 1925-26—Continued*

Commodity	January-June, 1926		January-June, 1925		Calendar year 1925	
	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total
<b>PRODUCTS OF MINES</b>						
Anthracite coal.....	32, 213, 238	5.33	38, 203, 549	6.62	58, 259, 535	4.67
Bituminous coal.....	176, 947, 588	29.28	153, 141, 092	26.53	346, 347, 989	27.77
Coke.....	12, 377, 969	2.05	9, 427, 410	1.63	19, 797, 821	1.59
Iron ore.....	23, 005, 045	3.81	26, 992, 905	4.68	72, 134, 038	5.79
Other ores and concentrates.....	6, 477, 913	1.07	5, 856, 073	1.01	12, 288, 579	.99
Base bulion and matte.....	438, 597	.07	462, 094	.08	895, 506	.07
Clay, gravel, sand, and stone.....	65, 220, 099	10.79	61, 467, 216	10.65	145, 402, 178	11.66
Crude petroleum.....	4, 932, 786	.82	5, 412, 994	.94	11, 245, 309	.90
Asphaltum.....	1, 255, 320	.21	1, 024, 867	.18	2, 530, 848	.20
Salt.....	1, 499, 880	.25	1, 582, 690	.27	3, 402, 950	.27
Other products of mines.....	3, 184, 522	.53	2, 900, 553	.50	6, 030, 272	.48
Total.....	327, 552, 867	54.21	306, 471, 443	53.09	678, 335, 025	54.39
<b>PRODUCTS OF FORESTS</b>						
Logs, posts, poles, and cordwood.....	24, 397, 373	4.04	25, 051, 650	4.34	45, 428, 483	3.64
Ties.....	2, 339, 011	.39	2, 460, 293	.43	4, 292, 109	.34
Pulpwood.....	3, 542, 186	.59	3, 505, 696	.61	5, 826, 931	.47
Lumber, timber, box shooks, staves, and headings.....	23, 458, 241	3.88	24, 773, 125	4.29	49, 015, 498	3.93
Other products of forests.....	1, 364, 895	.22	1, 377, 699	.24	2, 824, 333	.23
Total.....	55, 101, 706	9.12	57, 168, 463	9.91	107, 387, 354	8.61
<b>MANUFACTURES AND MISCELLANEOUS</b>						
Refined petroleum and its products.....	23, 322, 344	3.86	21, 627, 132	3.75	46, 273, 181	3.71
Vegetable oils.....	832, 322	.14	708, 616	.12	1, 446, 468	.12
Sugar, sirup, glucose, and molasses.....	2, 722, 232	.45	2, 795, 925	.48	5, 669, 121	.45
Bloats and vessel supplies.....	7, 370	(1)	7, 461	(1)	17, 179	(1)
Iron, pig and bloom.....	7, 643, 448	1.26	7, 181, 118	1.24	14, 576, 820	1.17
Rails and fastenings.....	1, 447, 297	.24	1, 559, 112	.27	2, 653, 346	.21
Bar and sheet iron, structural iron, and iron pipe.....	15, 612, 802	2.58	14, 469, 441	2.51	29, 143, 747	2.34
Other metals, pig, bar, and sheet.....	2, 787, 539	.46	2, 621, 028	.45	5, 418, 959	.43
Castings, machinery, and boilers.....	2, 925, 907	.48	2, 694, 040	.47	5, 357, 216	.43
Cement.....	10, 836, 220	1.79	10, 816, 400	1.87	24, 516, 325	1.97
Brick and artificial stone.....	9, 846, 516	1.63	9, 379, 951	1.63	19, 660, 854	1.58
Lime and plaster.....	3, 306, 766	.55	3, 302, 985	.57	6, 829, 764	.55
Sewer pipe and drain tile.....	1, 164, 196	.19	1, 175, 427	.20	2, 426, 267	.19
Agricultural implements and vehicles other than automobiles.....	1, 344, 075	.22	1, 216, 597	.21	2, 273, 635	.18
Automobiles and autotricks.....	4, 030, 605	.67	3, 441, 019	.60	6, 979, 800	.56
Household goods and secondhand furniture.....	234, 062	.04	264, 631	.05	511, 478	.04
Furniture (new).....	463, 384	.08	500, 947	.08	969, 770	.08
Beverages.....	404, 508	.07	403, 068	.07	840, 526	.07
Ice.....	1, 631, 904	.27	1, 911, 746	.33	4, 941, 420	.40
Fertilizers (all kinds).....	6, 048, 580	1.00	6, 190, 735	1.07	8, 462, 885	.68
Paper, printed matter, and books.....	1, 740, 811	.29	1, 668, 890	.29	3, 328, 006	.27
Chemicals and explosives.....	5, 106, 485	.85	4, 885, 268	.85	9, 579, 028	.77
Textiles.....	433, 055	.07	455, 938	.08	966, 083	.08
Canned goods (all canned food products).....	1, 659, 512	.27	1, 306, 647	.23	4, 143, 264	.33
Other manufactures and miscellaneous.....	40, 266, 172	6.66	37, 659, 265	6.52	78, 259, 810	6.27
Total.....	145, 818, 412	24.12	138, 193, 387	23.94	285, 244, 952	22.88
Grand total, carload traffic.....	584, 811, 012	96.77	557, 492, 419	96.58	1, 206, 557, 481	96.75
Merchandise—All l. c. l. freight.....	19, 527, 607	3.23	19, 757, 168	3.42	40, 579, 596	3.25
Grand total, carload and l. c. l. traffic.....	604, 338, 619	100.00	577, 249, 587	100.00	1, 247, 137, 077	100.00

<sup>1</sup> Less than 0.01 per cent.



TABLE I.—*Summary of casualties to persons on steam railways in the United States for the years ending December 31, 1925, 1924, 1923, 1922, and 1921*

Class of person	Number of persons									
	1925		1924		1923		1922		1921	
	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured
1. Trespassers.....	2, 584	2, 688	2, 556	2, 853	2, 779	3, 047	2, 430	2, 844	2, 481	3, 071
2. Employees:										
Trainmen on duty.....	722	29, 175	672	29, 224	937	36, 195	719	29, 311	658	25, 968
Other employees.....	577	3, 309	574	3, 177	708	3, 539	579	3, 123	479	2, 779
Total employees.....	1, 299	32, 484	1, 246	32, 401	1, 645	39, 734	1, 298	32, 434	1, 137	28, 747
3. Passengers.....	171	4, 952	149	5, 354	138	5, 847	200	6, 153	205	5, 584
4. Persons carried under contract.....	27	601	20	557	21	674	25	651	21	560
5. Other nontrespassers.....	2, 283	7, 268	2, 244	7, 206	2, 339	7, 162	1, 898	5, 907	1, 743	5, 352
Total, classes 1 to 5..	6, 364	47, 993	6, 215	48, 371	6, 922	56, 464	5, 851	47, 989	5, 587	43, 324
6. Casualties in nontrain accidents.....	402	89, 442	402	95, 368	463	115, 248	474	86, 882	409	77, 361



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## APPENDIX D

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POINTS DECIDED BY THE COMMISSION IN REPORTED  
RATE CASES, WITH INDEX OF POINTS DECIDED  
AND TABLE OF CASES

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## POINTS DECIDED IN REPORTED RATE CASES

*Iron and steel articles from southern points*, 102 I. C. C. 175.

1. Proposed reduced rates on iron and steel articles, in carloads, from Birmingham, Ala., and other southern producing points to Memphis, Tenn., and intermediate points, found not unreasonable but unduly prejudicial. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our finding herein.

*General Gas Light Co. v. Ala. G. S. R. R. Co.*, 102 I. C. C. 181.

2. Upon further hearing original report in 83 I. C. C., 361, modified to the extent of finding that the fourth-class rating on Radiantfire heaters, in carloads, was not and is not unreasonable or otherwise unlawful. Third-class rating found applicable on less-than-carload shipments. Refund of overcharges directed and complaint dismissed.

*Potatoes from Mich., Minn., and Wis.*, 102 I. C. C. 183.

3. Proposed increased rates on potatoes, in carloads, from Michigan, Minnesota, and Wisconsin to Alabama and Tennessee found not justified. Suspended schedules ordered canceled.

*Des Moines Board of Trade v. D. M. & C. I. R. R.*, 102 I. C. C. 186.

4. Proportional rates on grain, in carloads, from Des Moines, Iowa, to destinations in Texas found unduly prejudicial to shippers at Des Moines and unduly preferential of shippers at Council Bluffs, Iowa, and Omaha, Nebr. Undue prejudice ordered removed.

*Tanning extract from Norfolk and Newport News*, 102 I. C. C. 196.

5. Proposed increased rates on tanning extract, in carloads, from Norfolk and Newport News, Va., to Memphis, Tenn., and points in central territory found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Alcoholic liquors via L. & N. R. R.*, 102 I. C. C. 202.

6. Proposed cancellation of rates on alcoholic liquors, in less than carloads, found not justified. Suspended schedules ordered canceled.

*Cancellation of note 4 exceptions*, 102 I. C. C. 205.

7. Proposed cancellation of note 4 exceptions to southern classification on water-and-rail traffic, north Atlantic ports, to Lynchburg, Va., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Class rates between Memphis, Cairo, and other points*, 102 I. C. C. 207.

8. Proposed increased class rates between Memphis, Tenn., and Cairo, Ill., on the one hand, and points in Kansas, Missouri, Nebraska, and Colorado, on the other hand, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Import clay to New York points*, 102 I. C. C. 217.

9. Proposed cancellation of import commodity rate on clay, in carloads, from Montreal, Quebec, to Syracuse and Solvay, N. Y., found not justified. Proposed cancellation of import class rates from Portland, Me., to Charlotte, Rome, Rochester, Syracuse, and Utica, N. Y., found justified, except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings.

*Cottonseed products from Southwest*, 102 I. C. C. 219.

10. Proposed restriction of proportional rates on cottonseed cake, meal, and other cottonseed products from various groups of origin in Arkansas, Missouri, and Oklahoma to Memphis, Tenn., and Cairo, Thebes, and East St. Louis, Ill., and of proportional rates on cottonseed meal, hulls, and cake from Blytheville, Jonesboro, Osceola, and intermediate Arkansas points to Memphis, Tenn., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Forest products to California and Nevada*, 102 I. C. C. 224.

11. Proposed increased rates on poles (electric light, telephone, and telegraph), piling, and box and crate shooks, in carloads, from Sand Point, Kootenai, and Culver, Idaho, to certain group points in California on the Western Pacific Railroad and Sacramento Northern Railroad found not justified. Suspended schedules ordered canceled.

*Memphis-Southwestern Investigation*, 102 I. C. C. 227.

12. Upon further hearing, findings in the original report herein, 77 I. C. C. 473, and in *Oklahoma Corporation Commission v. A. & S. Ry. Co.*, 98 I. C. C. 183, with respect to carload minimum weights on mixed shipments of cottonseed meal and cottonseed hulls modified.

*Intrastate rates within the State of Illinois*, 102 I. C. C. 232.

13. Upon further hearing on petition of the Old Ben Coal Corporation, order entered herein so modified as to except from its provisions certain intrastate rates on lumber, railroad ties, and mine props, in effect January 11, 1921, from Ava to Sesser, Christopher, West Frankfort, Johnston City, and Buckner, Ill., found not to have been unduly preferential of persons or localities in intrastate commerce or unduly prejudicial to persons or localities in interstate or foreign commerce, or to have resulted in unjust discrimination against interstate or foreign commerce.

*Los Angeles Soap Co. v. P. E. Ry. Co.*, 102 I. C. C. 235.

14. Rates on imported soya-bean oil and coconut oil, in tank-car loads, from Wilmington, Calif., to Los Angeles, Calif., found unreasonable. Reparation awarded.

*Browne-Hinton Wholesale Grocery Co. v. G. N. Ry. Co.*, 102 I. C. C. 237.

15. Rate charged on one carload of apples from Brewster, Wash., to Fort Smith, Ark., found inapplicable. Reparation awarded.

*Wallingford Bros. v. C. & P. Ry. Co.*, 102 I. C. C. 239.

16. Charges collected on a car of wheat shipped during October, 1922, from Chappell, Nebr., to Wichita, Kans., stored at that point and afterwards re-shipped to San Diego, Calif., found not unreasonable. Complaint dismissed.

*Barker Bros. v. C., B. & Q. R. R. Co.*, 102 I. C. C. 241.

17. Rate on mirrors, in carloads, from Chicago, Ill., to Los Angeles, Calif., found not unreasonable. Complaint dismissed.

*San Antonio Paper Co. v. Director General*, 102 I. C. C. 243.

18. Rates charged on newsprint and wrapping paper, in carloads, from Nekeosa and Port Edwards, Wis., to San Antonio and Austin, Tex., found applicable. Complaint dismissed.

*Lewis-Simas-Jones Co. v. S. P. Co.*, 102 I. C. C. 245.

19. Rate charged on cowpeas, in carloads, from Navojoa, Sonora, Mexico, to San Francisco, Calif., in 1923, found unreasonable. Reparation awarded.

*Thompson, Weinman & Co. v. S. Ry. Co.*, 102 I. C. C. 247.

20. Rate on crude clay, in carloads, from Langley, S. C., to Cartersville, Ga., found not unjust or unreasonable. Complaint dismissed.

*Refiners Oil Co. v. P. R. R. Co.*, 102 I. C. C. 249.

21. Rate on lubricating oil and gasoline from Burkburnett, West Port Arthur, Wichita Falls, Fort Worth, North Fort Worth, and Houston, Tex., to Dayton, Ohio, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Clark Lumber Co. v. A., B. & A. Ry. Co.*, 102 I. C. C. 252.

22. Two carloads of lumber from La Grange, Ga., to Philadelphia, Pa., found to have been misrouted. Reparation awarded.

*Denver Metal & Machinery Co. v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 255.

23. Rates charged on scrap iron or steel and secondhand rails, in carloads, from points in Colorado to points in certain other States, found not unreasonable or otherwise unlawful. Complaint dismissed.



*Jackson Traffic Bureau v. G. & S. I. R. R. Co.*, 102 I. C. C. 259.

24. Refusal of defendants to permit milling in transit at Jackson, Miss., on grain and grain products destined to certain points on the Gulf, Mobile & Northern found not unreasonable or otherwise unlawful. Complaint dismissed.

*Salt Cake from Pacific Coast*, 102 I. C. C. 261.

25. Proposed cancellation of commodity rates on salt cake from Pacific coast and related points to certain destinations in Wisconsin found not justified. Suspended schedules ordered canceled and proceeding discontinued, but without prejudice to the filing of new schedules establishing rates in conformity with the findings.

*Nebr. Cement Co. v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 265.

26. Rates on slack coal from Bevier, Mo., Pittsburg, Kans., and Henryetta, Okla., to Superior, Nebr., found unreasonable. Reasonable rates prescribed.

*Hoopeston Grain & Coal Co. v. C. & E. I. Ry. Co.*, 102 I. C. C. 269.

27. Rate on coal from certain mines in the southern Illinois group to Hoopeston, Ill., over an interstate route, found not unreasonable or unduly prejudicial. Complaint dismissed.

*Gulf Refining Co. v. S. Ry. Co.*, 102 I. C. C. 274.

28. Complaint bringing in issue intrastate rates subsequent to Federal control which do not subject traffic in interstate or foreign commerce to unjust discrimination, dismissed.

*Warren Refining & Chemical Co. v. C., N. O. & T. P. Ry. Co.*, 102 I. C. C. 277.

29. Charges collected on petroleum black oil, in tank-car loads, shipped from Houston, Tex., to Cleveland, Ohio, based on estimated weight of 7.4 pounds per gallon, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Wis. Cheese Box Mfrs. v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 279.

30. Third-class rates on cylindrical cheese boxes, in carloads, from Wisconsin points to western trunk-line territory found not unreasonable or otherwise unlawful. Complaint dismissed.

*Chess & Wymond Co. v. A. & V. Ry. Co.*, 102 I. C. C. 282.

31. Rate on rough-oak staves and headings, in carloads, from Cherokee, Ala., to Jackson, Miss., found not unreasonable. Complaint dismissed.

*Kansas City Board of Trade v. A. & W. Ry. Co.*, 102 I. C. C. 285.

32. Proportional rates from Kansas City, Mo.-Kans., and through rates from origins in Nebraska and Kansas, on grain and grain products, in carloads, to destinations in Arkansas, Louisiana, the Mississippi Valley, and the Southeast found not unreasonable or otherwise unlawful. Complaint dismissed.

33. Proposed rates from Nebraska, Kansas, and other States to the Mississippi Valley found not justified.

*Butler Paper Co. v. C., I. & W. R. R. Co.*, 102 I. C. C. 311.

34. Rates charged on eight carloads of paper and paper products from Hamilton, West Carrollton, and Miamisburg, Ohio, and Chicago, Ill., to Dallas, Tex., found unreasonable. Reparation awarded on seven cars, and denied on one car for want of proper party to complaint.

*Kaseman v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 315.

35. Rate charged on fuel wood, in carloads, from certain points in New Mexico to El Paso, Tex., found applicable but unreasonable. Complaint dismissed.

*Rice Between Points in Southern Territory* (2), 102 I. C. C. 317.

36. Increased rates which would result from proposed cancellation of less-than-carload commodity rates on clean rice between points in southern territory, found not justified. Schedules ordered canceled without prejudice to the establishment of rates on the basis indicated.

*Forest Products From North Pacific Coast*, 102 I. C. C. 319.

37. Proposed increased rates on certain forest products, including doors, not screened or glazed, veneered door panels, and kindling wood, in carloads, from

north Pacific coast points to Michigan City and Gary, Ind., found justified. Order of suspension vacated and proceeding discontinued.

*Tidel-Western Oil Corp. v. M., K. & T. Ry. of Tex.*, 102 I. C. C. 322.

38. Rate on liquefied petroleum gas, in tank-car loads, from Burkburnett, Tex., to West Tulsa, Okla., found unreasonable. Reparation awarded.

*Simon v. S. Ry. Co.*, 102 I. C. C. 325.

39. Rates charged on three carloads of portions of dismantled marine engines shipped from Alexandria, Va., to Harrisburg and Lebanon, Pa., found not unreasonable. Complaint dismissed.

*Gullikson v. Director General*, 102 I. C. C. 327.

40. Freight charges collected on four carloads of cattle shipped from Sturgis, S. Dak., to Omaha, Nebr., in December, 1919, found unjust and unreasonable. Reparation awarded.

*Crown Cork & Seal Co. v. S. P. Co.*, 102 I. C. C. 331.

41. Shipment of bottle caps, in cases, from New Orleans, La., to Highlandtown, Md., found not to have been misrouted. Complaint dismissed.

*Macgillis & Gibbs Co. v. L. E. & W. R. R. Co.*, 102 I. C. C. 33.

42. Rate charged on a carload of cedar posts from Starks Spur, Minn., to Deer Creek, Ill., found inapplicable. Refund directed.

*Fulton Bag & Cotton Mills v. A. & B. Ry. Co.*, 102 I. C. C. 335.

43. Rates on cotton bagging, in carloads, from certain points in Georgia and Tennessee to Dallas and other Texas Points found not unreasonable or unjustly discriminatory, but found unduly prejudicial and preferential. Undue prejudice and preference ordered removed. Reparation denied.

*Continental Oil Co. v. Director General*, 102 I. C. C. 338.

44. Rates charged on petroleum products, in tank-car loads, from Alamosa, Salida, and Montrose, Colo., to numerous destinations on narrow-gauge lines in Colorado and New Mexico during Federal control found unreasonable. Reparation awarded.

*Burkland v. M. P. R. R. Co.*, 102 I. C. C. 343.

45. Following *Palmer v. M. P. R. R. Co.*, 87 I. C. C. 622, rates on mine timbers in carloads, from points in Missouri to destinations in Illinois found unreasonable. Reparation awarded.

*National Fire Proofing Co. v. B. C. R. R. Co.*, 102 I. C. C. 345.

46. Demurrage charges on a shipment of title detained at State College, Pa., found to have been illegally assessed. Refund directed and complaint dismissed.

*Bulkley, Dunton & Co. v. P. R. R. Co.*, 102 I. C. C. 347.

47. Rate on imported wood pulp, in carloads, from New York, N. Y., to Big Island, Va., found unreasonable. Reparation awarded.

*Armour Fertilizer Works v. M. L. & T. R. R. & S. S. Co.*, 102 I. C. C. 350.

48. Rate on sulphuric acid, in tank-car loads, from New Orleans, La., to Houston and Manchester, Tex., found not unreasonable. Complaint dismissed.

*Federal Match Corp. v. G. N. Ry. Co.*, 102 I. C. C. 353.

49. Switching charges and assessment thereof in addition to the road-haul rate on lumber originating at local points and milled in transit at Spokane found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Clark Bros. Bolt Co. v. N. Y. C. R. R. Co.*, 102 I. C. C. 355.

50. Rates charged on rectangular wire rods in coils, in carloads, from Youngstown, Ohio, and Lackawanna, N. Y., to Milldale, Conn., found not applicable. Reparation awarded.

*Toberman, Mackey & Co. v. S. Ry. Co.*, 102 I. C. C. 359.

51. Defendants' rules, regulations, and practices with respect to the weighing of carload shipments of hay found not unreasonable, unduly prejudicial, or unjustly discriminatory. Complaint dismissed.



*Washington Dehydrated Food Co. v. G. N. Ry. Co.*, 102 I. C. C. 363.

52. Complaint assailing intrastate rates on fuel oil, in tank cars, from Richmond Beach, Wash., to Wenatchee and Leavenworth, Wash., dismissed for want of jurisdiction.

*Ontario Paper Co. v. C. N. Rys.*, 102 I. C. C. 365.

53. Upon reargument, prior report, 95 I. C. C. 66, finding rate on newsprint paper, in carloads, from Thorold, Ontario, Canada, to New York, N. Y., unreasonable, affirmed.

*Texas-Pacific Coal & Oil Co. v. C., R. I. & G. Ry. Co.*, 102 I. C. C. 369.

54. Rates on iron and steel pipe, in carloads, from points in Texas to points in Oklahoma and from points in Oklahoma to points in Texas found unreasonable. Reasonable rates prescribed and reparation awarded.

*Palmer & Co. v. H. & T. C. R. R. Co.*, 102 I. C. C. 372.

55. Rates on paper and paper articles, in mixed carloads, in effect prior to September 15, 1922, from New Orleans, La., to Dallas, Tex., found unreasonable. Reparation awarded.

*Eriksen v. A. A. R. R. Co.*, 102 I. C. C. 374.

56. Rates on automobiles and automobile parts, in carloads, from eastern defined territories to all points on the Northwestern Pacific Railroad north of Willits, Calif., found unjust, unreasonable, and unduly prejudicial to the extent that they exceeded and exceed the rates on the same commodity from the same territories to California coast-group points. Reasonable and nonprejudicial rates prescribed and reparation awarded.

*Eads Bros. Furniture Co. v. B. & O. R. R. Co.*, 102 I. C. C. 381.

57. Applicable rates on furniture, in carloads, from certain points in Indiana, Michigan, New York, and West Virginia to Little Rock, Pine Bluff, and Fort Smith, Ark., found not to have been unreasonable. Complaint dismissed.

*Houston Packing Co. v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 385.

58. Rates on vegetable oils, in carloads, from points in Oklahoma to Houston, Tex., found unreasonable. Reparation awarded.

*Utah-Idaho Sugar Co. v. C. & N. E. Ry. Co.*, 102 I. C. C. 388.

59. Rate charged on four carloads of sugar from Brigham and Spanish Fork, Utah, to Breckenridge, Tex., found not unreasonable. Complaint dismissed.

*Tidewater Portland Cement Co. v. C. & P. R. R. Co.*, 102 I. C. C. 391.

60. Rates on bituminous coal, in carloads, from the Pittsburgh-Youghiogheny, West Virginia, Meyersdale, and Cumberland-Piedmont coal regions to Union Bridge, Md., found to have been and to be unduly prejudicial to the extent that over the Baltimore & Ohio and Western Maryland via Cherry Run, W. Va., and over the Western Maryland direct, they exceeded or exceed the rates contemporaneously maintained over those lines from the same points of origin to Security, Md. Undue prejudice ordered removed. Reparation denied.

61. Rates on bituminous coal, in carloads, from the Pittsburgh-Youghiogheny, West Virginia, Meyersdale, Cumberland-Piedmont, and Clearfield coal regions to Union Bridge, Md., found not unreasonable.

*Limestone into and cement out of Ada*, 102 I. C. C. 407.

62. St. Louis-San Francisco Railway tariffs bearing I. C. C. Nos. 8410 and 8474 purporting to accord transit at Ada, Okla., under which crushed limestone and shale originating at Lawrence and Lantry, Okla., can be manufactured into cement and shipped beyond over respondent's line to interstate destinations at lower through charges than when moving beyond over competitive lines, found to be vague, indefinite, contradictory, and therefore unreasonable and unlawful. Orders entered requiring cancellation in so far as said tariffs are applicable to interstate traffic.

*Nebr. Cement Co. v. M. P. R. R. Co.*, 102 I. C. C. 411.

63. Rates on crushed gypsum rock from Blue Rapids, Kans., to Superior, Nebr., since November 1, 1921, found unreasonable and unduly prejudicial. Reasonable rates prescribed for the future and reparation awarded.



*Riverton Lime Co. v. A. & R. R. Co.* 102 I. C. C. 415.

64. Complaint, which alleges that the present rates on agricultural lime from Virginia kilns to destinations in North Carolina and South Carolina are unjust, unreasonable, and, as compared with rates from Mascot, Tenn., on ground limestone to the same, or similar destinations, unduly prejudicial, dismissed.

*Crescent Bed Co. v. A. & V. Ry. Co.*, 102 I. C. C. 419.

65. Rates on metal beds, in carloads, from New Orleans, La., to southern territory found not unduly prejudicial; those to the Mississippi Valley and Southeast found unreasonable. Basis for reasonable maximum rates prescribed.

66. Rates on helical springs, in carloads, from Chicago and Waukegan, Ill., to New Orleans found not unreasonable or unduly prejudicial.

*Macia v. A., T. & St. P. Ry. Co.*, 102 I. C. C. 430.

67. Rates on coal and coke, in carloads, from stations in Colorado and New Mexico, Groups 1, 2, 3, and 4, and from Albuquerque, San Antonio, and Gallup, N. Mex., to Tombstone, Ariz., found not unreasonable. Complaint dismissed.

*Automatic Train-control Devices*, 102 I. C. C. 433.

68. Petition of Great Northern Railway Company requesting that the order of January 14, 1924, as amended, requiring installation of automatic train-control devices, be vacated and set aside in so far as it affects said carrier, denied. Former reports, 69 I. C. C. 258 and 91 I. C. C. 426.

*Chicago Live Stock Exch. v. Director General*, 102 I. C. C. 452.

69. Rates charged during Federal control on cattle, in carloads, shipped from Edmonton and Patricia, Alberta, Canada, to Chicago, Ill., found inapplicable. Reparation awarded.

*Farrell v. C., M. & St. P. Ry. Co.*, 102 I. C. C. 455.

70. Rates for the transportation of corn and oats from points in Iowa and Nebraska to destinations in Utah in 1918 and 1919 found to have been unreasonable. Reparation awarded.

*National Petroleum Asso. v. C. & A. R. R. Co.*, 102 I. C. C. 459.

71. Rates on petroleum and petroleum products, in carloads, from Coffeyville, Kans., and Tulsa and Boynton, Okla., to destinations in Indiana, Ohio, Michigan, and Pennsylvania found unreasonable. Reparation awarded.

*Shanks & Gannon Construction Co. v. C., C. & St. L. Ry. Co.*, 102 I. C. C. 462.

72. Rates on sand, in carloads, from LaFayette, Ind., to Kankakee, Ill., found applicable, and to Manteno, Ill., found not unreasonable, unjustly discriminatory, or unduly prejudicial, but in violation of the fourth section. Complaint dismissed.

*Moore-Lawless Grain Co. v. M. P. R. R. Co.*, 102 I. C. C. 465.

73. Rates assessed on a carload of wheat from Kansas City, Mo., to Pine Bluff, Ark., with transit at Leavenworth, Kans., and Sweet Springs and Charleston, Mo., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Collins Timber Co. v. B. & O. R. R. Co.*, 102 I. C. C. 467.

74. Rates on mine timbers, in carloads, from points in Missouri to destinations in Illinois found unreasonable. Reparation awarded.

*Stetson, Cutler & Co. v. N. Y., N. H. & H. R. R. Co.*, 102 I. C. C. 471.

75. Finding in our original report, 91 I. C. C. 3, that the application of penalty charges for detention of two carloads of lumber at Pawtucket, R. I., and one at Providence, R. I., which were subsequently reforwarded to South Providence, R. I., was not illegal, affirmed on reconsideration.

76. Shipments found overcharged. Refund of overcharges directed and complaint dismissed.

*Greene Cananea Copper Co. v. Director General*, 102 I. C. C. 473.

77. Rate on copper bullion, in carloads, from Cananea, Sonora, Mexico, to Perth Amboy, N. J., during Federal control, found not unreasonable or otherwise in violation of the interstate commerce act or of the Federal control act. Complaint dismissed.

*Grain from Kansas City to stations in Iowa*, 102 I. C. C. 475.

78. Upon rehearing proposed increased proportional rates on grain and grain products, in carloads, from Kansas City, Mo.-Kans., to Chicago & North Western Railway stations in Iowa found justified. Order requiring the cancellation of the suspended schedules vacated and proceeding discontinued. Former finding in 96 I. C. C. 154 reversed.

*Intrastate Rates Within the State of Illinois*, 102 I. C. C. 479.

79. Commutation fares of the Chicago & North Western Railway Company for the transportation of passengers within the State of Illinois found to be unduly preferential of intrastate passengers, unduly prejudicial to interstate passengers, and unjustly discriminatory against interstate commerce. Undue preference, prejudice, and discrimination ordered removed by appropriate increases in the intrastate fares.

*Memphis Freight Bureau v. A. A. R. R. Co.*, 102 I. C. C. 489.

80. Rates charged on shipments of clean rice from Memphis, Tenn., to destinations in Canada, found not unreasonable. No damage shown by reason of the alleged undue prejudice.

81. Fourth-section relief denied. Complaint dismissed.

*Meyer-Vasquez Produce Co. v. Director General*, 102 I. C. C. 491.

82. Reparation awarded on shipments of cabbage, in carloads, from certain points in the State of Washington to St. Louis, Mo. Original report, 89 I. C. C. 437.

*Utah Fuel Co. v. Director General*, 102 I. C. C. 493.

83. Findings in original report, 80 I. C. C. 229, that switching charges for the movement of slack coal at Sunyside, Utah, during Federal control were unreasonable and that reparation should be awarded, modified.

*Borden's Farm Products Co. v. N. Y., N. H. & H. R. R. Co.*, 102 I. C. C. 497.

84. Failure or refusal of defendants to perform the service of icing interstate less-than-carload shipments of milk and other dairy products from points in New York and Connecticut to destinations in those States, while exacting rates including such service, found to constitute an unreasonable and unlawful practice. Reparation denied for lack of proof of the amount of damages sustained. Former report, 92 I. C. C. 270, affirmed on further argument.

*Swift & Co. v. A. & R. R. R. Co.*, 102 I. C. C. 499.

85. Charge of \$4.50 per net ton for reicing shipments at Howell (Evansville), Ind., found applicable. Complaint dismissed.

*United Paperboard Co. v. G. & J. Ry. Co.*, 102 I. C. C. 502.

86. Upon further hearing, finding that rates on bird's-eye coal from Groups A, B, and C mines in Pennsylvania to Thomson, N. Y., were and are unreasonable, and award of reparation, affirmed. Original report, 83 I. C. C. 712.

87. Rates to Oondawa, N. Y., found unreasonable to the extent that they exceeded and exceed rates to Thomson, N. Y.

*Baton Rouge Rice Mill v. N. O., T. & M. Ry. Co.*, 102 I. C. C. 507.

88. Rates on rice, in carloads, from certain points in Louisiana to Baton Rouge, La., destined to interstate and foreign points after cleaning in transit, found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future and reparation awarded.

*Somerville Iron Works v. L. I. R. R. Co.*, 102 I. C. C. 511.

89. Rates on cast-iron soil pipe and fittings, in carloads, from Somerville, N. J., to certain destinations on Long Island, N. Y., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Pacific Portland Cement Co. v. Director General*, 102 I. C. C. 515.

90. Upon further argument original finding, 64 I. C. C. 507, that the rate on limerock, in carloads, from Flint to Tolenas, Calif., was not unreasonable during Federal control and order dismissing the complaint, affirmed.

*Milne Lumber Co. v. Director General*, 102 I. C. C. 520.

91. Charges collected on one carload of lumber shipped from Jasper, Tex., to St. Louis, Mo., and reconsigned to New York, N. Y., found illegal to extent indicated. Reparation awarded.



*Davenport Commercial Club v. Director General*, 102 I. C. C. 523.

92. Rates on fuel and gas oils, in tank-car loads, from points of origin named in Agent Boyd's tariff I. C. C. No. A-916 to certain destinations in Iowa and Illinois found unreasonable and unduly prejudicial for the future to the extent that they may exceed rates 6 cents lower than the contemporaneous rates on refined oil. Findings in original report, 73 I. C. C. 251, modified in part.

*American Shipbuilding Co. v. Director General*, 102 I. C. C. 530.

93. Upon further consideration, rates on iron and steel articles from points in Pennsylvania to Cleveland and Lorain, Ohio, over routes via Youngstown or Wellsville, Ohio, found unreasonable to the extent that they exceeded the aggregate of intermediate rates via Youngstown. Reparation awarded. Former report 89 I. C. C. 601.

*Omaha Grain Exch. v. A. N. Ry. Co.*, 102 I. C. C. 533.

94. Combinations of distance rates found unreasonable and reasonable proportional rates prescribed on wheat and coarse grain from stations on the Atlantic Northern Railway in Iowa to Council Bluffs, Iowa, for application on shipments destined beyond Council Bluffs in States other than Iowa.

*Surcharge for transportation of passengers in sleeping or parlor cars*, 102 I. C. C. 537.

95. Charges for the transportation of passengers in sleeping and parlor cars required by State authority to be maintained by the respondent steam railroads within the State of North Carolina found to be lower than the corresponding interstate charges authorized in *Increased Rates*, 1920, 58 I. C. C. 220, and to be unduly preferential of intrastate passengers, unduly prejudicial of interstate passengers, and unjustly discriminatory against interstate commerce. Charges prescribed which will remove such preference, prejudice, and discrimination.

*Miss. R. R. Commission v. A. & V. Ry. Co.*, 102 I. C. C. 540.

96. Rates on salt, in carloads, from Anse La Butte, Avery, Salt Mine, Weeks Island, and Jefferson Island, La., to points in Mississippi, and from Baldwin, La., to Jackson, Miss., found unreasonable and unduly prejudicial. Reasonable scale of maximum rates prescribed and reparation awarded.

97. Certain fourth-section relief over circuitous routes granted to the Mississippi Central, Columbus & Greenville, and Gulf, Mobile & Northern, and all other fourth-section relief applied for denied.

*Demurrage on coal and coke*, 102 I. C. C. 554.

98. Proposed amendment to rule providing for exemption from demurrage rules of empty cars placed for coal loading, or cars held under load with coal, awaiting billing instructions at coal mines on respondent's line found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Arkansas City Sand Co. v. St. L.-S. F. Ry. Co.*, 102 I. C. C. 559.

99. Charges assessed by the St. Louis-San Francisco Railway Company for switching interstate carload shipments at Arkansas City, Kans., between its connections and complainants' industries found not unreasonable or unduly prejudicial.

100. The maintenance at Arkansas City for switching interstate shipments of charges higher than for intrastate found to be unjustly discriminatory against interstate commerce.

*Cattle & Horse Raisers Asso. v. A., T. & S. F. Ry. Co.*, 102 I. C. C. 573.

101. Rule governing the transportation of a caretaker accompanying single-car shipments of livestock from points in Washington, Oregon, Idaho, and Montana to points in Oregon and Washington found not unreasonable and not unduly prejudicial, as compared with those for shipments of two cars. Complaint dismissed.

*Ariz. Corp. Commission v. A. E. R. R. Co.*, 102 I. C. C. 578.

102. Applicable rate on less-than-carload shipment of household goods from Batesville, Miss., to Phoenix, Ariz., determined and found not unreasonable or otherwise unlawful. Complaint dismissed.

*Texas Farm & Ranch Publishing Co. v. Director General*, 102 I. C. C. 581.

103. Carload shipments of newsprint, printing, and wrapping paper from certain points in Michigan, Mississippi, New York, Ohio, Pennsylvania, and Wis-



consin, to Dallas, Tex., not shown to have been overcharged. Complaint dismissed.

*Piedmont Oil Co. v. A. & V. Ry. Co.*, 102 I. C. C. 533.

104. Rates on gasoline and kerosene, in carloads, from Fort Worth and Hodge, Tex., to Gastonia, N. C., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Kennedy & Parsons Co. v. C. & N. W. Ry. Co.*, 102 I. C. C. 591.

105. Rates assailed on sulphuric and muriatic acids in tank cars and carboys from Grasselli, Ind., to Sioux City, Iowa, found not unreasonable and present adjustment not unduly prejudicial. Complainant not shown to have been damaged by any undue prejudice which may have existed. Complaint dismissed.

*Cudahy Packing Co. v. Director General*, 102 I. C. C. 598.

106. Carload of coconut oil from San Francisco, Calif., to South Omaha, Nebr., reconsigned at Winslow, Ariz., and again at Kansas City, Mo., found to have been overcharged. Reparation awarded.

107. Claim for reparation based upon alleged unreasonableness of the applicable rate on the shipment which moved during Federal control found barred (a) because complaint was not filed within the one-year statutory period prescribed by section 206(c) of the transportation act and (b) because formal complaint filed within 90 days from the time defendant director general began an action for the recovery of charges on the shipment was not within the provisions of section 16(3) of the interstate commerce act.

*United Zinc Smelting Corp. v. P. R. R. Co.*, 102 I. C. C. 601.

108. Rate on coke dust or breeze coke, in carloads, from Pittsburgh, Pa., and points in the Pittsburgh district to Moundsville, W. Va., found unreasonable. Reparation awarded.

*Hollingshead Co. v. T. & P. Ry. Co.*, 102 I. C. C. 603.

109. Rate on ash staves, in carloads, from Fort Lynn, Ark., to Gulfport, Miss., found unreasonable. Reparation awarded.

*Woolner Distilling Co. v. Director General*, 102 I. C. C. 605.

110. Shipments of whisky, alcohol, brandy, and gin, in carloads, from Peoria, Ill., to Minneapolis and St. Paul, Minn., not shown to have been overcharged. Complaint dismissed.

*Detroit & Cleveland Nav. Co. v. M. C. R. R. Co.*, 102 I. C. C. 607.

111. Establishment of through routes and joint rates on rail-and-water traffic from Michigan points via Detroit, Mich., to Cleveland, Ohio, and Buffalo, N. Y., based on differentials under the all-rail rates found not necessary or desirable in the public interest, and failure of defendants to establish such routes and rates found not unjustly discriminatory or unduly prejudicial. Complaint dismissed.

*N. E. Miss. Traffic Bureau v. A. & V. Ry. Co.*, 102 I. C. C. 611.

112. Rate on lumber, in carloads, from Tishomingo, Belmont, and Golden, Miss., and from Red Bay and Vina, Ala., to St. Louis, Mo., found not unreasonable or unduly prejudicial.

113. Rate on like traffic from the same points of origin to Buffalo-Pittsburgh territory found to have been unreasonable to the extent that it exceeded the aggregate of the intermediate rates. Present rates found not unreasonable or unduly prejudicial.

114. Reparation denied. Complaint dismissed.

*Lehigh Portland Cement Co. v. Director General*, 102 I. C. C. 617.

115. Following *Acme Cement Plaster Co. v. Director General*, 81 I. C. C. 298, shipments of cement, in carloads, from Chapman and West Coplay, Pa., and Fordwick, Va., to destinations in Florida found to have been overcharged. Reparation awarded.

*Caruso & Co. v. C. & E. I. Ry. Co.*, 102 I. C. C. 619.

116. Rates on cabbage and strawberries, in straight carloads, and on cabbage and beans, in mixed carloads, from points in Kentucky, Tennessee, and

Alabama to Logansport, Ind., found not unreasonable but unduly prejudicial. Reparation denied.

117. Fourth-section relief denied.

*Lockport Paper Co. v. M. & P. R. R. Co.*, 102 I. C. C. 624.

118. Combination rate of 30 cents in effect between September 23, 1922, and September 10, 1923, on crushed slate, in carloads, from Delta, Pa., to Lockport, N. Y., for movement via Buffalo, found unreasonable to the extent that it exceeded 20.5 cents. Reparation awarded. Present rate of 17.5 cents found not unreasonable or otherwise unlawful.

*King-Haase Furniture Co. v. B. & O. R. R. Co.*, 102 I. C. C. 629.

119. Rates on built-up wood, faced with veneer made from foreign woods, in carloads, to Memphis, Tenn., from Louisville, Ky., and New Albany and Evansville, Ind., found not unreasonable. Complaint dismissed.

*Southern Lumber Co. v. L. & A. Ry. Co.*, 102 I. C. C. 633.

120. Rates on hardwood lumber, in carloads, from Jonesville, La., to Loudon, Greeneville, and Cleveland, Tenn., and Thomasville and High Point, N. C., found not unreasonable. Rates from Jonesville to Cleveland and Loudon higher than to Knoxville and Lenoir City, Tenn., and from Jonesville to Greeneville higher than to Johnson City, Tenn., and Bristol, Tenn.-Va., found unlawful under the long-and-short-haul provision of section 4. Elimination of such departures and refund of overcharges on certain shipments directed. Complaint dismissed.

*Wimberly Grover Co. v. P. R. R. Co.*, 102 I. C. C. 637.

121. Rate on one carload of apples from Clearbrook, Va., to Jonesboro, Ark., found unreasonable. Reparation awarded.

*Davenport Locomotive Works v. C., M. & St. P. Ry. Co.*, 102 I. C. C. 639.

122. Rates on fuel and gas oils, in tank-car loads, from Okmulgee and Tulsa, Okla., to Davenport, Iowa, found unreasonable. Reparation awarded.

*Nashville Traffic Bureau v. L. & N. R. R. Co.*, 102 I. C. C. 641.

123. Rate on iron and steel articles, in carloads, from Birmingham, Ala., to Nashville, Tenn., found not unreasonable but unduly prejudicial to the advantage of Chattanooga and Knoxville, Tenn.

124. Rate on iron and steel articles, in less than carloads, from Birmingham, Ala., to Nashville, Tenn., found not unreasonable or unduly prejudicial.

*Naples Potato Growers Asso. v. C., M. & St. P. Ry. Co.*, 102 I. C. C. 649.

125. Rates applied on three carloads of potatoes from Naples and Lily, S. Dak., to points in the State of Iowa, found unreasonable. Reparation awarded, and a maximum reasonable rate prescribed from Lily to De Witt and Coralville, Iowa.

*Mineralite Stucco Corp. v. C., R. I. & P. Ry. Co.*, 102 I. C. C. 654.

126. Rate on ground calcined magnesite, in carloads, from Joilet, Ill., to Omaha, Nebr., found unreasonable prior to June 15, 1921, but not unreasonable subsequent to that date. Reparation awarded.

*S. P. Co. Steamboats on Sacramento River*, 102 I. C. C. 658.

Upon application of the Southern Pacific Co. and the Central Pacific Railway Co., under the provisions of section 5 of the interstate commerce act, for authority to extend the operation of its boat line on the Sacramento River and connecting waters, found:

127. That the operation of the boat line to and from public docks, wharves, and piers situated within or abutting on the corporate limits of Alameda, Oakland, Berkeley, and Emeryville, Calif., on the east side of San Francisco Bay, is in the interest of the public and of advantage to the convenience and commerce of the people; that its operation will neither exclude, prevent, nor reduce competition on the route by water; and that the application should be granted.

128. That the rates, schedules, and regulations of the boat line on the Sacramento River and connecting waters governing freight traffic subject to the act, moved by it in its operations considered herein, must be filed and posted as required by the act and by the rules and regulations of this commission.

*Washington Publishers' Asso. v. B. & O. R. R. Co.*, 102 I. C. C. 662.

129. Upon further consideration, original report, 98 I. C. C. 339, finding rates on newsprint paper, in carloads, from points in New England, New York, and Canada, and from Philadelphia, Pa., to Baltimore, Md., not unreasonable and rates on the same commodity from the same points to Washington, D. C., unreasonable, affirmed.

*Increased Rates on Tobacco*, 102 I. C. C. 665.

130. Proposed increased rates on export and coastwise unmanufactured tobacco received for storage and warehousing at Newport News and Morrison, Va., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Fla. R. R. Commissioners v. A. & R. R. Co.*, 102 I. C. C. 677.

131. Carload minimum number of crates applicable in connection with rates on celery under refrigeration in cars of less than standard length from points in Florida to interstate and Canadian destinations found unreasonable. Reasonable minimum for short cars furnished for carriers' convenience prescribed. Reparation awarded.

*Boldt Paper Mills Co. v. N. I. & N. R. R. Co.*, 102 I. C. C. 682.

132. Rates on fiberboard and pulpboard, in carloads, from New Iberia, La., to Lovefield, Tex., found unreasonable. Reparation awarded and authority granted to waive undercharges on certain shipments.

*Wood Mosaic Co. v. L. & N. R. R. Co.*, 102 I. C. C. 684.

133. Net, or reshipping, rates on logs to Louisville, Ky., from stations in Kentucky and Tennessee on the Scottsville-Hartsville branch of the Louisville & Nashville Railroad, found unreasonable and reparation awarded.

*N. O. Joint Traffic Bureau v. S. L. & W. Ry. Co.*, 102 I. C. C. 686.

134. Rates on rough rice in carloads from producing points in Arkansas to New Orleans, La., found not unreasonable, and rates on clean rice from milling points in Arkansas to New Orleans for export found not unduly prejudicial. Complaint dismissed.

*Petertyl v. N. Y., N. H. & H. R. R. Co.*, 102 I. C. C. 693.

135. Upon oral argument, original findings, 91 I. C. C. 699, that one carload of locust lumber, shipped February 4, 1921, from Wilson Point, Conn., to Traverse City, Mich., was not misrouted, but 19 subsequent shipments to the same destinations were misrouted, affirmed, defendant having failed to forward the latter shipments over the cheapest available route when no particular route was specified by the shipper.

*Diamond Calk & Horseshoe Co. v. N. P. Ry. Co.*, 102 I. C. C. 701.

136. Rates charged on horseshoes, toe calks and parts, in carloads, from Duluth, Minn., to Rochester, N. Y., found unreasonable. Reparation awarded.

*Hartwell & Lester v. D. & H. Co.*, 102 I. C. C. 703.

137. Carload shipments of anthracite coal from Providence, Pa., to Matawan, N. J., thence reconsigned to Asbury Park, N. J., found to have been overcharged. Reparation awarded.

*Hechtman v. C., M. & St. P. Ry. Co.*, 102 I. C. C. 705.

138. Defendant's failure to absorb switching charges at Fargo, N. Dak., on various carloads of potatoes shipped through that point from stations in Minnesota and North Dakota to points in Kansas, found to have resulted in illegal charges. Reparation awarded.

*Fort Smith, Subiaco & R. I. R. R. Co. v. A. & V. Ry. Co.*, 102 I. C. C. 708.

139. Complainants seeking the establishment of through routes and joint rates, in connection with the Fort Smith, Subiaco & Rock Island Railroad as intermediate carrier, from Mississippi River crossings and points east thereof to points on the Paris branch of the Missouri Pacific Railroad, including Fort Smith, Ark., and to points beyond Fort Smith, dismissed.

*Armstrong Cork Co. v. W. M. Ry. Co.*, 102 I. C. C. 713.

140. Refusal of defendants to handle, at their own expense in accordance with their tariffs, certain import shipments of cork waste, in bales, from side



of ship docked at its Baltimore, Md., Port Covington piers to cars on such piers, for transportation to Beaver Falls, Pa., found unlawful. Reparation awarded.

*Forest products to Southern points*, 102 I. C. C. 717.

141. Proposed increased rates on lumber and lumber products, in carloads, between Denver, Colo., and points taking same rates, on the one hand, and points on the Louisville & Nashville and the Gulf, Mobile & Northern, on the other hand, found justified. Order of suspension vacated and proceeding discontinued.

*Kiefer Tanning Co. v. E. J. & E. Ry. Co.*, 102 I. C. C. 721.

142. Rates on frozen pig or hog skins, in carloads, from St. Louis, Mo., and East St. Louis, Ill., to Grand Rapids, Mich., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Zaring & Co. v. Clyde S. S. Co.*, 102 I. C. C. 724.

143. Charges assessed on one carload of corn-sirup jelly and of jelly and preserves in glass containers, from St. Louis, Mo., to Miami, Fla., found unreasonable and unduly prejudicial. Reparation awarded.

*Fort Smith Couch & Bedding Co. v. B. & O. R. R. Co.*, 102 I. C. C. 726.

144. Rate on metal-cushion or seat-spring assemblies, in carloads, from Cincinnati, Ohio, to Fort Smith, Ark., found not unjustly discriminatory or unduly preferential, and not unreasonable in the past but unreasonable for the future. Reasonable rate prescribed for the future.

*Wortham-Carter Publishing Co. v. Director General*, 102 I. C. C. 729.

145. Rates on newsprint paper, in carloads, from producing points in Minnesota, Wisconsin, and Ontario, in defined territories, in eastern seaboard territory and Canada, and in Oregon and Washington, to Dallas and Fort Worth, Tex., found to have been unreasonable. Reparation awarded.

*Wichita Chamber of Commerce v. Director General*, 102 I. C. C. 745.

146. Rates on horses and mules, in carloads, from Wichita, Kans., to Houston and other Texas destinations found unreasonable. Complainants as assignees of consignees who paid and bore the freight charges, awarded reparation.

*Heller Bros. v. Director General*, 102 I. C. C. 749.

147. Carload shipments of dressed granite and granite monuments from Barre, Montpelier, Northfield, and Waterbury, Vt., to Chicago, Ill., and other destinations in Illinois and Indiana, not shown to have been overcharged. Complaints dismissed.

*Western Pine Mfgs' Asso. v. Director General*, 102 I. C. C. 753.

148. Carload minima on lumber and rules in connection therewith from points in Oregon, Washington, Idaho, and Montana, to transcontinental territory prior to, during, and after the period of Federal control found not unreasonable or otherwise unlawful. Complaint dismissed.

*Petroleum to southern points*, 102 I. C. C. 756.

149. Proposed rates on petroleum and petroleum products, in carloads, from St. Louis, Mo., and points in the Wood River district to southern destinations found justified. Order of suspension vacated and proceeding discontinued.

150. Fourth-section relief granted in part.

*Humble Oil & Refining Co. v. L. & N. W. R. R. Co.*, 102 I. C. C. 761.

151. Rates on wrought-iron and steel pipe or fittings, in carloads, and on oil-well supplies, in carloads, from stations in Texas to Haynesville, La, found unreasonable. Reasonable rates prescribed and reparation awarded.

*Kyoleum Co. v. Director General*, 104 I. C. C. 1.

152. Rates assessed on 10 carloads of fuel oil shipped in October, 1918, from Tulsa, Okla., to St. Catharines, Ontario, reassigning to Pittsburgh, Pa., and again reassigning to Woodlawn, Pa., found inapplicable. Reparation awarded.

*Washington Publishers' Asso. v. A. C. & H. B. Ry. Co.*, 104 I. C. C. 4.

153. Rates on newsprint-paper winding cores, returned, from various points in eastern and central territories to destinations in New York, New England, and Canada not found unreasonable or otherwise unlawful as applied to less-than-

carload shipments, but as applied to carload shipments found to have been and to be unreasonable, except certain rates to and rate factors in Canada, as to which no finding is made. Reparation awarded.

*Becker, Moore & Co. v. N. Y. C. R. R. Co.*, 104 I. C. C. 11.

154. Rates on wood flour, in carloads, from North Tonawanda, N. Y., to destinations in New York, New Jersey, and Pennsylvania, found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

*N. E. Miss. Traffic Bureau v. M. & O. R. R. Co.*, 104 I. C. C. 15.

155. Rate on lumber, in carloads, from Tupelo, Miss., to Normal and Buntyn, Tenn., found unreasonable but not unjustly discriminatory or unduly prejudicial. Reasonable rate prescribed for the future and reparation awarded.

*Ohio Body & Blower Co. v. A., C. & Y. Ry. Co.*, 104 I. C. C. 19.

156. Refusal of carriers in official classification territory to apply the two-for-one rule with respect to the height of box cars as well as to length not shown unreasonable under existing conditions. Complaint dismissed.

*Green v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 24.

157. Rates charged on whisky, in glass, in barrels or boxes, in carloads and less than carloads, from eastern points to destinations in California found applicable and not unreasonable. Complaint dismissed.

*Pig iron from southern points*, 104 I. C. C. 27.

158. Proposed reduced rates on pig iron, in carloads, from producing points in Alabama and other Southern States to St. Louis and Kansas City, Mo., Ohio River crossings, and related and intermediate points found justified. Order of suspension vacated.

*Armour & Co. v. G. N. Ry. Co.*, 104 I. C. C. 34.

159. Complaint seeking reparation on intrastate shipments which moved during the so-called guaranty period between March 1 and September 1, 1920, dismissed for lack of jurisdiction.

*Tolman, Dow & Co. v. T. C. Ry. Co.*, 104 I. C. C. 37.

160. Rates on green salted hides, in carloads, from Nashville, Tenn., to points in Massachusetts, New Hampshire, New York, and Pennsylvania found unreasonable and unduly prejudicial. Reasonable rates prescribed and reparation awarded.

*Switching at Tulsa*, 104 I. C. C. 42.

161. Proposed restriction of switching limits of Tulsa, Okla., so as to exclude the plant of the Wertzberger Derrick Co., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Black powder from Fairchance*, 104 I. C. C. 45.

162. Proposed increased rates on common black powder from Fairchance, Pa., to Delaware River Pier (Wilmington), Del., and Carneys Point and Thompsons Point, N. J., found not justified as to carload shipments, but justified as to shipments in less than carloads.

163. Proposed increase in minimum carload weight on same commodity from and to same points found justified.

164. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

*Dill-Crossett v. Director General*, 104 I. C. C. 48.

165. Charges on two carloads of turpentine shipped in May, 1918, from New Orleans, La., to San Francisco, Calif., for export, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Cattle & Horse Raisers Asso. v. N. Y. Ry. Co.*, 104 I. C. C. 51.

166. Interstate rates on livestock from points in central and eastern Oregon and southern Idaho to North Portland, Oreg., and Tacoma and Seattle, Wash., found unreasonable, but not unduly prejudicial. Reasonable basis prescribed for the future. Reparation denied.

167. Proposed increased rates on cattle and sheep from points on the Oregon Short Line in eastern Idaho and southwestern Montana, to Portland, Seattle, and points taking the same rates, found not justified. Suspended schedules



ordered canceled without prejudice to the filing of new schedules in conformity with the views herein expressed.

*Fruits and vegetables between Pacific Coast States*, 104 I. C. C. 66.

168. Proposed rates on fruits and vegetables, in carloads, between points in California and points in Oregon, Washington, Idaho, Utah, and Montana found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Protective service rules on perishable freight*, 104 I. C. 79.

169. Proposed changes in rules, regulations, and practices affecting the refrigeration and handling of perishable freight at points in the United States embodied in supplement 35 to perishable protective tariff I. C. C. No. 1 found not justified. Suspended schedules ordered canceled without prejudice to the publication of rules, regulations, and practices in conformity with our findings herein.

*Salt from Ohio*, 104 I. C. C. 101.

170. Proposed increased rates on salt, in carloads, from Ohio producing points to destinations in territory west of the Missouri River found justified. Order of suspension vacated and proceeding discontinued.

*Morrell & Co. v. N. Y. C. R. R. Co.*, 104 I. C. C. 104.

171. Rates on cured meats, packed, and green-salted hides, in carloads, from Chicago, Ill., and other central territory packing points, including Mississippi River packing points, St. Louis, Mo., to Dubuque, Iowa, inclusive, to destinations in trunk-line and New England territories found not unreasonable and not unduly prejudicial in relation to the existing rates on hogs and sheep in double-deck cars or on cattle from and to the same points.

172. Rates on fresh meats, in carloads, from Chicago, St. Louis, and certain other packing points in central territory to trunk-line and New England territories found unreasonable for the future. Reasonable rates prescribed.

173. Through rates on cured meats and hides, in carloads, from points west of the Mississippi River to destinations in trunk-line and New England territories found neither unreasonable nor unduly prejudicial, except that the rates from Cedar Rapids, Iowa, and certain Missouri River packing points are found unreasonable for the future.

174. Through rates on fresh meats, in carloads, from points west of the Mississippi River to destinations in eastern territories found unreasonable for the future to the extent that they exceed the lowest combinations composed of contemporaneous factors west of Mississippi River or Chicago plus the rates found reasonable east thereof.

175. Rates on fresh and cured meats and hides, in carloads, from South St. Paul and Faribault, Minn., to Chicago, applicable on traffic destined to points in trunk-line and New England territories found not unreasonable.

176. Rates and rating in official classification of fourth class on dry-salted and sweet-pickled meats, loose, in carloads, found unreasonable for the future to the extent that they exceed fifth class on cured meats in packages. Reasonable rates and ratings prescribed.

177. Rates prescribed which will remove existing fourth-section departures.

*Diamond Match Co. v. Director General*, 104 I. C. C. 147.

178. Rates on matches, in carloads, from Chico, Calif., to destinations in Washington, found not unreasonable or in violation of section 4. Adjustment of certain overcharges and undercharges directed and complaint dismissed.

*Royster Guano Co. v. M. C. R. R. Co.*, 104 I. C. C. 151.

179. Rate on sulphuric acid, in carloads, from Grasselli, Ind., to Toledo, Ohio, found not unreasonable. Complaint dismissed.

*Alexander Grocery Co. v. B., S. L. & W. Ry. Co.*, 104 I. C. C. 155.

180. Rates on green coffee, in carloads, from New York, N. Y., to Denison, Fort Worth, Dallas, and Austin, Tex., and from New Orleans, La., and Galveston and Houston, Tex., to Austin and San Antonio, Tex., found to have been unreasonable. Reparation awarded. Findings in original report in No. 13559, 92 I. C. C. 14, modified.



*Gulf Refining Co. v. B. & A. R. R.*, 104 I. C. C. 165.

181. Rates charged on petroleum products from Beverly, Mass., to Concord and Manchester, N. H., found unreasonable. Rates prescribed for the future and reparation awarded.

*Iowa Gate Co. v. B. & O. R. R. Co.*, 104 I. C. C. 169.

182. Rates applicable on worn-out and discarded locomotive-boiler flues and tubes from Harvey, Chicago, and East St. Louis, Ill., St. Paul, Minn., and Omaha, Nebr., to Cedar Falls, Iowa, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Philadelphia Commercial Traffic Managers v. B. & O. R. R. Co.*, 104 I. C. C. 173.

183. Rates, rules, and regulations covering the loading and unloading of export, import, and intercoastal traffic at Philadelphia, Pa., found to be not unreasonable or otherwise unlawful.

184. Where defendants collected loading and unloading charges at Philadelphia, but did not perform that service nor pay for the performance thereof, they should refund the amounts thus collected. Complaint dismissed.

*Wagon parts from Chattanooga*, 104 I. C. C. 179.

185. Proposed increased rates on iron and steel wagon parts, including wagon skeins, in carloads, from Chattanooga, Tenn., to Charleston, S. C., Hopkinsville, Ky., and Laurel, and Meridian, Miss., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Deshler Broom Factory v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 183.

186. Rates on broom handles, in carloads, from points in Michigan and Wisconsin to Des Moines, Iowa, North Kansas City and Kansas City, Mo., and Deshler, Nebr., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Thilmany Pulp & Paper Co. v. N. & A. Ry. Co.*, 104 I. C. C. 186.

187. Rate charged on two carloads of soapstone furnace linings from Schuyler, Va., to Kaukauna, Wis., found applicable. Complaint dismissed.

*Coal to Sparland*, 104 I. C. C. 188.

188. Proposed cancellation of rates on anthracite coal from Erie, Pa., and Brocton, Buffalo, and Buffalo Junction, N. Y., to Sparland, Ill., found justified. Order of suspension vacated and proceeding discontinued.

*Classification of Battery Boxes*, 104 I. C. C. 190.

189. Proposed increased rating in official classification on asphalt composition battery boxes, in carloads, found not justified. Proposed increased carload minimum weight on such boxes in official, southern, and western classifications found justified. Suspended schedules ordered canceled and proceeding discontinued.

*Fernandez & Co. v. S. P. R. R. Co. of Mex.*, 104 I. C. C. 193.

190. Complaint alleging that unreasonable rates were charged on chick-peas (garbanzo), in carloads, shipped in bond from Mexico to New Orleans, La., and thence exported to foreign countries or to Porto Rico, dismissed for want of jurisdiction.

*Definition of Tank Cars*, 104 I. C. C. 196.

191. Proposed tariff provision defining the term "tank car" as a car to which the tank or tanks are permanently attached and from which they can not be detached for filling, emptying, or storage of their contents, found not justified. Suspended schedules ordered canceled.

*Missouri-Kansas-Texas R. R. Co. v. K. C. T. Ry. Co.*, 104 I. C. C. 203.

Upon petition by Missouri-Kansas-Texas Railroad Company seeking the entry of an order, pursuant to section 3 (4) of the interstate commerce act, according petitioner the right to use, upon compensation determinable wholly upon a user basis, designated portions of the union passenger and freight terminals at Kansas City, Mo.-Kans., owned and operated by respondent Kansas City Terminal Railway Company, and upon intervening petitions by certain so-called small-user proprietary lines seeking similar relief as to terms, *Found*:

192. The intervening small users, parties to the operating agreement governing the use and operation of the terminals and entitled thereunder and as proprietaries to use thereof, are not within the contemplation of section 3 (4) of the act, and as to them this commission is not thereby or otherwise empowered to grant the relief sought. Contract division of interest and taxes not shown to be unduly prejudicial or preferential or unjustly discriminatory. Intervening petitions dismissed.

193. If, in a cause now pending in the Federal courts, the Missouri-Kansas-Texas Railroad Company shall be finally adjudged to be bound by the operating agreement, relief can not be granted; if adjudged not to be so bound, further proceedings may be had looking to the entry of an order according petitioner a right of user, and thereupon, if the parties can not agree, a determination of the terms thereof and the compensation to be paid or secured therefor, in accordance with the provisions of the act.

*Miss. Valley Iron Co. v. C. & N. W. Ry. Co.*, 104 I. C. C. 243.

194. Upon further hearing, finding in original report, 74 I. C. C. 369, that the rates charged on iron ore, in carloads, from Ironwood, Mich., and Baraboo, Wis., to Carondelet, Mo., were not unreasonable or otherwise unlawful, affirmed. Complaints dismissed.

*Du Pont De Nemours & Co. v. W. J. & S. R. R. Co.*, 104 I. C. C. 247.

195. Rates on high explosives, in carloads and less than carloads, from Gibbstown and Thompsons Point, N. J., to Norton, Va., Powder, W. Va., and other stations in Virginia and West Virginia found unreasonable. Reparation awarded.

*Prairie Oil & Gas Co. v. M. V. R. R. Co.*, 104 I. C. C. 252.

196. Carload of tank steel shipped from Petroleum, Okla., to Gorman, Tex., thence reconsigned to Ranger, Tex., found to have been overcharged. Reparation awarded.

*Bailey Co. v. I. C. R. R. Co.*, 104 I. C. C. 255.

197. Rates charged on imported rattan furniture, in bundles, shipped from Seattle, Wash., to Cleveland, Ohio, not found to have been illegally assessed. Complaint dismissed.

*Transcontinental Oil Co. v. P. R. R. Co.*, 104 I. C. C. 259.

198. Charges collected on petroleum lubricating oil in barrels, in carloads, from Coraopolis, Pa., to New York, N. Y., for export, found unreasonable. Reparation awarded.

*Fess v. C., H. & G. L. Ry. Co.*, 104 I. C. C. 262.

199. Rates applicable on sand and gravel, in carloads, from South Beloit, Ill., and on cement, in carloads, from Buffington, Ind., to Darien, Wis., reconsigned to Vaughan Siding, Wis., found not unreasonable or otherwise unlawful. Refund of overcharges directed and complaint dismissed.

*Marion Machine, Foundry & Supply Co. v. Director General*, 104 I. C. C. 265.

200. Shipments of bull-wheel arms, cants, and pins from Tulsa, Okla., to Bluffdale, Tex., found not to have been overcharged. Complaint dismissed.

*Falcon Zinc Co. v. M. P. R. R. Co.*, 104 I. C. C. 267.

201. Rates on zinc skimmings, zinc sal-ammoniac skimmings, zinc dross, and zinc ashes, in carloads, from Illinois, Missouri, Ohio, and Wisconsin points to Van Buren, Ark., found not unreasonable. No damage shown to have resulted from discrimination or prejudice. Complaint dismissed.

*Newsome Feed & Grain Co. v. C., C. & St. L. Ry. Co.*, 104 I. C. C. 269.

202. Failure of defendant to effect diversion found to have resulted in the collection of unreasonable charges on a carload of ground peanut hulls from Suffolk, Va., to Granite City, Ill., reconsigned to Steubenville, Ohio. Collection of undercharges waived and reparation awarded.

*Grain and Grain Products to Louisiana*, 104 I. C. C. 272.

203. Proposed reduced rates on grain and grain products and seed and seed products, in carloads, from points in Colorado, Wyoming, Kansas, Arkansas, Oklahoma, and Missouri to points in Louisiana west of the Mississippi River found justified in some instances and unlawful in others. Unlawful rates



ordered canceled and order of suspension vacated as to rates found justified, and proceeding discontinued.

*Grain and grain products to Wisconsin*, 104 I. C. C. 281.

204. Proposed increased rates on grain, grain products, and alfalfa meal, in carloads, from Colorado common points and points grouped therewith to destinations in Wisconsin and Michigan found justified in part. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings. Proceeding discontinued.

*Holland Furnace Co. v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 286.

205. Rates on furnaces and furnace parts, in carloads, from Holland, Mich., to Chicago, Ill., and Milwaukee, Wis., found unreasonable and unduly prejudicial. Reasonable rates prescribed for the future and reparation awarded.

*Washington Salvage Co. v. P. R. R. Co.*, 104 I. C. C. 291.

206. Charges assessed on three carloads of salvaged miscellaneous iron and steel machinery parts shipped from Norfolk, Va., to Washington, D. C., found not illegal. Complaint dismissed.

*Lynchburg Chamber of Commerce v. P. R. R. Co.*, 104 I. C. C. 293.

207. Rate charged on a carload of lime from Gibsonburg, Ohio, to Rivermont, Va., found unreasonable. Reparation awarded.

*Oelhafen-Mondeau Co. v. C. & N. W. Ry. Co.*, 104 I. C. C. 295.

208. Charges collected on carload shipments of saw logs from Tobins Siding and Ramsay, Mich., to Sheboygan, Wis., reconsigned to Wausau, Wis., in April, 1923, found unreasonable and illegal. Reparation awarded.

*Los Angeles Lumber Products Co. v. S. P. Co.*, 104 I. C. C. 297.

209. Interstate rates on lumber and its products, in carloads, from Oregon and California points to California destinations for the future found not unreasonably low, unjustly discriminatory, or unduly preferential of such interstate points of origin, or unduly prejudicial to complainant or San Pedro, Calif. Complaint dismissed.

*Union Bag & Paper Corp. v. B. & M. R. R.*, 104 I. C. C. 327.

210. Rates on imported wood pulp, in carloads, from Boston, Mass., to Hudson Falls, N. Y., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Albers Bros. Milling Co. v. Director General*, 104 I. C. C. 330.

211. Rate on corn and oats, in carloads, from points in Group G in Nebraska to Portland, Oreg., found unreasonable. Reparation awarded.

*Rice from New Orleans*, 104 I. C. C. 333.

212. Increased rate on clean rice, in carloads, from New Orleans, La., to Bowling Green, Ky., found justified. Fourth-section relief denied.

*Texas Oil Co. v. T. & N. O. R. R. Co.*, 104 I. C. C. 337.

213. Rates on lubricating oils, lubricating greases, and paraffin wax, in carloads, from Port Arthur, Tex., to various points in Louisiana, found not unreasonable. Complaint dismissed.

*Rates, charges, regulations, and practices of anthracite coal*, 104 I. C. C. 341.

214. Because of imminent shortage of fuel for household use in New England, New Jersey, and certain portions of New York, Pennsylvania, Delaware, and Maryland, an emergency found to exist, requiring prompt establishment of additional joint rates and through routes on bituminous coal in prepared sizes from certain coal districts in Virginia, West Virginia, and eastern Kentucky.

215. Basis prescribed for joint rates and through routes, in addition to those prescribed in the original report herein, 101 I. C. C. 363, on prepared sizes of low-volatile and high-volatile bituminous coal from mines in the New River, Pocahontas, and Tug River districts, and in Clinch Valley district No. 1, to all points in New England and in New Jersey.

216. Basis prescribed for joint rates and through routes on prepared sizes of bituminous coal from mines in the Kanawha, Coal River, Logan, Thacker, and Kenova districts, Clinch Valley district No. 2 and on the Big Sandy division of the Chesapeake & Ohio Railroad, to all points in New England and to certain points in the Middle Atlantic States.



217. Basis prescribed for joint rates and through routes on semianthracite coal from certain points in Virginia on the Norfolk & Western and Virginian Railways to all points in New England and to certain points in the Middle Atlantic States.

218. The prescribed bases for rates made to expire on April 30, 1926, without prejudice to subsequent consideration of requests for permanent rates.

*Construction and repair of railway equipment*, 104 I. C. C. 352.

Upon investigation, found:

219. That the cost of repairs to locomotives of the respondent, Central Railroad Company of New Jersey, at outside shops during the fall of 1921 and during 1922 and 1923, exceeded the cost of substantially similar work in respondent's shops.

220. That the greater portion of such excess cost was an unreasonable expenditure for maintenance of equipment and not in the interest of efficient and economical management as required by section 15a of the act.

*Erie Steam Shovel Co. v. B. & O. R. R. Co.*, 104 I. C. C. 367.

221. Official classification rating and rates on steam-shovel parts, in less than carloads, found not unreasonable. Complaint dismissed.

*Yellow Pine Co. v. Director General*, 104 I. C. C. 371.

222. Demurrage charges on one carload of pine lumber from Brooklet, Ga., to South Camden, N. J., collected by the director general but assessed and retained by a line not under Federal control, found illegally collected. Reparation awarded.

*Florence Chamber of Commerce v. C. of G. Ry. Co.*, 104 I. C. C. 373.

223. Rates on coal, in carloads, from Grants, Ala., to Florence, Ala., over an interstate route, found not unreasonable or otherwise unlawful. Shipments found overcharged and one shipment misrouted. Refund directed and complaint dismissed.

*Coca-Cola Co. v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 377.

224. Applicable rates on empty tight wooden barrels and kegs, in carloads, from St. Louis, Mo., to Los Angeles, Calif., not shown to have been unreasonable or unjustly discriminatory. Complaint dismissed.

*Jewel Co. v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 380.

225. Rates on gasoline in tank cars from Eldorado, Kans., and Yale and Grandfield, Okla., to Canon City, Colo., found unreasonable and unduly prejudicial. Reparation awarded and future rates prescribed.

*Lumber to Ohio points*, 104 I. C. C. 387.

226. Proposed increased rates on lumber, in carloads, from Latonia, Newport, and Covington, Ky., to Hamilton, Middletown, Miamisburg, and Dayton, Ohio, found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our findings herein.

227. Fourth-section relief denied.

*Marcellus & Otisco Co. v. N. Y. C. R. R. Co.*, 104 I. C. C. 389.

228. Charges exacted by defendant under the code of per diem rules for the use or detention of foreign freight cars on the line of the complainant found not unjust, unreasonable, or otherwise unlawful. Complaint dismissed.

*Florence Chamber of Commerce v. N. C. & St. L. Ry.*, 104 I. C. C. 393.

229. Rate charged on one carload of sand from Lipe, Tenn., to Sheffield, Ala., found unreasonable. Present rates on sand, in carloads, from Lipe to Sheffield, Florence, and Tuscumbia, Ala., over the Nashville, Chattanooga & St. Louis Railway in connection with the Louisville & Nashville Railroad found not unreasonable. Reparation awarded.

*Western Import Co. v. Director General*, 104 I. C. C. 396.

230. Demurrage charges assessed on certain carloads of beans and peas, held under constructive placement for unloading at Seattle, Wash., found not unlawful. Complaint dismissed.



*Crown Willamette Paper Co. v. U. P. R. R. Co.*, 104 I. C. C. 399.

231. Rates on printed fruit-wrapping paper, in carloads, from Los Angeles, Calif., to Ordway and Rocky Ford, Colo., found unreasonable. Reparation awarded.

*Helvetia Milk Condensing Co. v. A., T. & S. F. Ry Co.*, 104 I. C. C. 402.

232. Rates on evaporated milk, in carloads, from Lamar, Colo., to Dawson, N. Mex., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Babcock & Wilcox Co. v. Director General*, 104 I. C. C. 405.

233. Rates on iron and steel articles from Pittsburgh, Pa., and other points in western Pennsylvania to Barberton, Ohio, and from Barberton to Pittsburgh, Nadine, Corliss, and Midland, Pa., found unreasonable to the extent that they exceeded the aggregate of the intermediate rates contemporaneously in effect. Reparation awarded.

*Vera Chemical Co. v. A. C. R. R. Co.*, 104 I. C. C. 408.

234. Requirement that shipments of rosin, in carloads, be packed in barrels not shown to have been or to be unreasonable or otherwise unlawful.

235. Rates on rosin, in carloads, to Burlington, Ontario, Canada, from Gulf and south Atlantic ports, and points taking the same rates, found not unduly prejudicial or unduly preferential as alleged, and from Gulf ports, and points taking the same rates, found not unreasonable. Rates from south Atlantic ports, and points taking the same rates, found to have been and to be unreasonable. Reparation awarded.

*Jones Bros. & Co. v. Director General*, 104 I. C. C. 413.

236. Demurrage charges assessed on empty private tank cars at Watsonville, Calif., found illegal. Reparation awarded.

*Divisions received by Brimstone R. R. & C. Co.*, 104 I. C. C. 415.

237. Just, reasonable, and equitable divisions to the Brimstone Railroad & Canal Co. prescribed on traffic to and from its connections. Former reports, 68 I. C. C. 375 and 88 I. C. C. 62.

*Transit privilege on rosin and turpentine*, 104 I. C. C. 437.

238. Proposed transit charge at points in Florida, Kentucky, and Ohio on rosin and turpentine originating at points in the Southeast and reforwarded to destination on or beyond the Ohio River found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules in conformity with the findings.

*American Tri-State Paper Box Co. v. L. & N. R. R. Co.*, 104 I. C. C. 442.

239. Present rates on paper boxes in carloads, from Nashville, Tenn., to Atlanta, Augusta, Savannah, and Macon, Ga., Birmingham and Montgomery, Ala., and Jacksonville, Fla., found not unreasonable. Complaint dismissed.

*Kingman Co. v. C. V. Ry. Co.*, 104 I. C. C. 445.

240. Refrigeration charges assessed at White River Junction, Vt., on 14 carloads of grapes found not unreasonable. Complaint dismissed.

*Liquid Carbonic Co. v. C. & E. R. R. Co.*, 104 I. C. C. 446.

241. Rates on imported rough-quarried marble blocks, in carloads, from New York, N. Y., to Chicago, Ill., found not unjustly discriminatory, unduly prejudicial, or in violation of the fourth section. Complaint dismissed.

*United Iron Works v. Director General*, 104 I. C. C. 449.

242. Rates on steel tanks, knocked down, in carloads, from South Chicago, Ill., Indiana Harbor, Ind., and Youngstown, Ohio, to Galveston, Tex., for export to Mexico, fabricated in transit at Iola, Kans., found not unreasonable. No damage shown to have resulted from alleged undue prejudice. Complaint dismissed.

*Central West Coal & Lumber Co. v. C., B. & Q. R. R. Co.*, 104 I. C. C. 452.

243. Charges assessed for detention of four shipments of lumber at Alliance, Nebr., found illegal. Reparation awarded.

*Louisville Cement Co. v. S. Ry. Co.*, 104 I. C. C. 455.

244. Rates on line, in carloads, from Milltown, Ind., to destinations in central territory found not unreasonable or unduly prejudicial. Complaint dismissed.

*Florence Chamber of Commerce v. L. & N. R. R. Co.*, 104 I. C. C. 459.

245. Rates on prepared roofing and asphalt shingles, in carloads, from Chicago, Ill., St. Louis, Mo., Cairo, Ill., Evansville, Ind., Louisville, Ky., and Cincinnati, Ohio, to Florence, Sheffield, and Tuscumbia, Ala., found not unreasonable but unduly prejudicial. Nonprejudicial rates for the future prescribed. Reparation denied.

*Griess-Pflegler Tanning Co. v. E. J. & E. Ry. Co.*, 104 I. C. C. 464.

246. Rate on flexible split leather, in carloads, from Waukegan, Ill., to Natick, Mass., found not unreasonable. Complaint dismissed.

*Miami Copper Co. v. A. E. R. R. Co.*, 104 I. C. C. 467.

247. Finding in former report, 93 I. C. C. 221, that the rate of 59.5 cents charged between August 10 and September 22, 1921, on crude and fuel oils, in tank-car loads, from Gainesville, Tex., to Miami, Ariz., was not unreasonable, affirmed.

*Opler v. A. & R. R. R. Co.*, 104 I. C. C. 468.

248. Fourth-class ratings, minimum weight 30,000 pounds, in official, southern, and western classifications, on cocoa powder, in bulk, in barrels, in carloads, found unreasonable to the extent that they exceed fifth class, minimum weight 36,000 pounds.

*Marion Machine, Foundry & Supply Co. v. P. R. R. Co.*, 104 I. C. C. 471.

249. Rates applicable on wooden bull-wheel arms, cants, and pins, in carloads, from Tulsa, Okla., to Scottdale, Pa., found unreasonable. Reparation awarded and reasonable rate prescribed for the future.

*Lewiston Elevator Co. v. C. G. W. R. R. Co.*, 104 I. C. C. 473.

250. Carload rates on grain from Minnesota points to Chicago, Ill., Milwaukee, Wis., and other Wisconsin destinations taking the same rates, which, at the time of movement, exceeded the contemporaneous combinations of local rates to and proportional rates from Winona, Minn., found not unreasonable. Complaint dismissed.

*Joseph v. O.-W. R. R. & N. Co.*, 104 I. C. C. 477.

251. Rates on unfermented grape juice, in glass, in boxes, in carloads, from Melvin, Calif., to Aberdeen, Tacoma, and Seattle, Wash., found not unreasonable, and to Portland, Oreg., found unreasonable.

252. Rates on this commodity in bulk, in barrels, in carloads, from Melvin to Portland, Aberdeen, Tacoma, and Seattle found unreasonable. Reasonable rates prescribed for the future, and reparation awarded.

253. Rates on this commodity, in bulk, in barrels, in carloads, from Melvin to Aberdeen, Tacoma, and Seattle found unduly prejudicial to the extent that they exceeded, exceed, or may exceed, the rates contemporaneously in effect on the same commodity, in glass, in boxes.

*Durham Coal & Iron Co. v. C. of G. Ry. Co.*, 104 I. C. C. 483.

254. Rates on coke, in carloads, since April 16, 1923, from Chickamauga and Durham, Ga., and Chattanooga and Alton Park, Tenn., to Pacific coast terminals found not unreasonable or unjustly discriminatory but unduly prejudicial as compared with rates from the Birmingham, Ala., district to the same destinations. Undue prejudice ordered removed.

*Cairo Syrup Co. v. I. H. B. R. R. Co.*, 104 I. C. C. 487.

255. Rates on glucose, in tank-car loads, from Clinton, Iowa, and Roby, Ind., to Atlanta, Ga., found to have been and to be unreasonable. Reasonable rate prescribed for the future and reparation awarded.

*Ohio Farm Bureau Federation v. N. Y. C. R. R. Co.*, 104 I. C. C. 490.

256. Rates charged on shipments of livestock, in carloads, from Fremont, Ind., and Montgomery and Reading, Mich., to East Buffalo, N. Y., found applicable and not unreasonable. Complaint dismissed.

*Milne Lumber Co. v. N. O. G. N. R. R. Co.*, 104 I. C. C. 493.

257. Charges on a shipment of lumber from Franklinton, La., to Bloomington, Ind., dressed in transit at Jackson, Miss., not shown to have been in excess of those applicable. Complaint dismissed.



*West Va. Pulp & Paper Co. v. B. & O. R. R. Co.*, 104 I. C. C. 495.

258. Interstate rates on pulp wood, in carloads, from points in Maryland, Virginia, West Virginia, and District of Columbia to various points in West Virginia, Maryland, Delaware, and Pennsylvania, and from Ravensford, N. C., to Parsons, W. Va., found unreasonable. Reasonable rates prescribed for the future.

259. Proposed restriction of the application of the rate on pulp wood from Washington, D. C., to Tyrone, Williamsburg, Lock Haven, and Roaring Spring, Pa., to shipments arriving at Washington by water found not justified.

*Rates, Charges, Regulations, and Practices of Anthracite Coal*, 104 I. C. C., 514.

260. Proposed readjustment of rates on anthracite coal from Pennsylvania to destinations in upper New York State, in order to remove existing disparities in rates over different routes to the same destination, approved. Original report, 101 I. C. C. 363, modified in part.

*Rocbond Co. v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 517.

261. Rates on magnesite stucco from Cedar Rapids, Iowa, to destinations in Nebraska, Colorado, Wyoming, Kansas, and southwestern Missouri, found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Railway Mail Pay*, 104 I. C. C. 521.

262. Upon reargument, findings in *Railway Mail Pay*, 95 I. C. C. 204, 208, 95 I. C. C. 493, 513, and 96 I. C. C. 43, 46, that rates of mail pay, in effect during the periods from the dates applicants filed their respective applications for re-examination to the dates of the orders establishing increased rates for the future, were not fair and reasonable, affirmed. Order entered establishing the increased rates as of the dates the applications were filed.

*Newspapers in Baggage Cars*, 104 I. C. C. 527.

263. Proposed increased rates on newspapers shipped in baggage cars on passenger trains between points on respondents' respective lines in trunk-line and in central territories found justified. Orders of suspension vacated and proceeding discontinued.

*Lumbermen's Exch. v. S. P. Co.*, 104 I. C. C. 538.

264. Rates on lumber, in carloads, from Los Angeles, Wilmington, and San Pedro, Calif., to El Paso, Tex., and destinations in Arizona and New Mexico found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.

*Automatic Train-Control Devices*, 104 I. C. C. 549.

265. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

266. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Automatic Train-Control Devices*, 104 I. C. C. 558.

267. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

268. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Automatic Train-Control Devices*, 104 I. C. C. 565.

269. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

270. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Automatic Train-Control Devices*, 104 I. C. C. 577.

271. Upon reinspection, found that the matters criticized in former report herein have been corrected and that all requirements with respect thereto have been met. Former report, 85 I. C. C. 403.

*Class and commodity rates between western points*, 104 I. C. C. 578.

Subject to conditions set forth in the report:

272. Chicago, Milwaukee & St. Paul Railway Company and Illinois Central Railroad Company and connecting lines authorized to continue to maintain class and commodity rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., and points taking the same rates, on the one hand, and points in Missouri, Kansas, Nebraska, and Colorado, on the other, lower than at intermediate points as defined in the report.

273. St. Louis-San Francisco Railway Company and connecting lines authorized to continue to maintain class and commodity rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., and points taking the same rates, on the one hand, and Kansas City, Mo., and points on its line south and southeast thereof on the other, lower than at intermediate points in Missouri and Kansas.

274. Union Pacific Railroad Company, Chicago, Rock Island & Pacific Railway Company, and connecting lines authorized to continue to maintain class and commodity rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., St. Paul and Minneapolis, Minn., points taking the same rates, and points basing thereon, on the one hand, and certain points in Nebraska and Kansas, on the other, lower than at intermediate points in Nebraska and Kansas.

275. Atchison, Topeka & Santa Fe Railway Company and connecting lines authorized to continue to maintain class and commodity rates, and Missouri, Kansas & Texas Railway Company authorized to continue to maintain class rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., St. Paul and Minneapolis, Minn., points taking the same rates, and points basing thereon, on the one hand, and certain points in Kansas and Missouri, on the other, lower than at intermediate points in Kansas.

276. Missouri Pacific Railroad Company and connecting lines authorized to continue to maintain class rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., St. Paul and Minneapolis, Minn., points taking the same rates, and points basing thereon on the one hand, and Aurora and Springfield, Mo., on the other, lower than at intermediate points in Missouri.

277. Kansas City Southern Railway and connecting lines authorized to continue to maintain class and commodity rates from, to, or between St. Louis, Mo., Peoria and Chicago, Ill., and points taking the same rates, on the one hand, and points north of Eve and Guilfton, Mo., in connection with the St. Louis-San Francisco Railway, lower than at intermediate points in Missouri.

278. Disposition of those portions of the applications considered, which cover fourth-section departures in commodity rates at points on Missouri, Kansas & Texas Railway, and Missouri Pacific Railroad, deferred.

279. Except as fourth-section relief has heretofore been authorized by permanent orders of the commission and as herein authorized, all other and further relief prayed by the applications or portions thereof herein considered, denied.

*Armour & Co. v. Director General*, 104 I. C. C. 603.

280. Switching charge collected on fresh meats and packing-house products from South Omaha, Nebr., to Omaha, Nebr., during Federal control found legally applicable. Complaint dismissed.

*North Packing & Provision Co. v. Director General*, 104 I. C. C. 607.

281. Tariffs naming rates on shipments of hogs, in carloads, from stations in Iowa to points of destination in New England, with transit at Mississippi River crossings or at Valley Junction, Iowa, during Federal control and subsequently, interpreted and shipments found to have been overcharged. Reparation awarded.

*Iron and steel articles*, 104 I. C. C. 616.

282. Proposed change in description, making the billet basis of rates applicable on bolt, nail, rivet, or wire rods, in coils, only when round in cross section, found not justified. Suspended schedules ordered canceled.

*Lone Star Gas Co. v. A., T. & S. F. Ry. Co.*, 104 I. C. C. 623.

283. Rates on internal-combustion engines and related commodities, in carloads, from certain points in defined and seaboard territories to certain destinations in Oklahoma and Texas found not unreasonable. Complaint dismissed.



*Minimum weight on salt*, 104 I. C. C. 631.

284. Proposed decreased carload minimum weight on salt from eastern shipping points, except points taking Group B and Group C rates, to destinations in Arizona, California, Mexico, Nevada, New Mexico, Oregon, and Utah found justified. Order of suspension vacated and proceeding discontinued.

*Valley City Milling Co. v. C. & O. Ry. Co.*, 104 I. C. C. 634.

285. Rate charged on flour, in carloads, from Grand Rapids, Mich., to Birmingham, Ensley, Bessemer, and Montgomery, Ala., found not unreasonable. Complaint dismissed.

*Greenwald Vinegar Co. v. B. & O. R. R. Co.*, 104 I. C. C. 637.

286. Rates on apple pomace, in carloads, from points in New York, Pennsylvania, Illinois, West Virginia, and from St. Louis, Mo., to Topeka, Kans., found not unreasonable. Complaint dismissed.

*Wilson & Co. v. C. & O. Ry. Co.*, 104 I. C. C. 641.

287. Class rates applicable on fresh meats, packing-house products, and other articles, in peddler cars, from Chicago and East St. Louis, Ill., to points on the Chesapeake & Ohio east of Gauley, W. Va., found unreasonable. Reasonable class rates prescribed for the future.

288. Class rates applicable on fresh meats and packing-house products and other articles, in peddler cars, from Chicago and East St. Louis, Ill., to points on those portions of the Big Sandy and Logan divisions of the Chesapeake & Ohio diverging from the main line at Catlettsburg, Ky., and Barboursville, W. Va., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial class rates prescribed for the future.

289. Class rates on articles, in peddler cars, from Chicago and East St. Louis, Ill., to points on the Chesapeake & Ohio, other than those indicated in the next two preceding paragraphs, found not unreasonable or otherwise unlawful.

290. Minimum charges on articles, in peddler cars, from Chicago and East St. Louis, Ill., to points on the Chesapeake & Ohio in Kentucky, West Virginia, and Virginia found unreasonable and unduly prejudicial. Reasonable and nonprejudicial minimum charges prescribed for the future. Reparation awarded.

291. Proposed increased minimum charges on articles, in peddler cars, from East St. Louis, Ill., to points on the Chesapeake & Ohio found not justified.

*Petroleum from Arkansas to Louisiana and Texas*, 104 I. C. C. 651.

292. Proposed increases from the El Dorado-Smackover field in Arkansas to the New Orleans-Baton Rouge district in Louisiana in the domestic rates on crude petroleum and fuel oil, in the export and coastwise rates on crude petroleum and refined, gas, fuel, and road oils, and in the export and coastwise rates to Texas ports on crude petroleum and fuel and gas oils found not justified.

293. Proposed reductions in the domestic rates on crude petroleum to Texas ports found justified. Suspended schedules ordered canceled and proceeding discontinued, but without prejudice to the filing of new schedules in conformity with the findings.

*Milne Lumber Co. v. W. Ry. Co.*, 104 I. C. C. 669.

294. Claim for overcharge on a carload of lumber shipped from Stamps, Ark., to Carpenter, Ill., and reconsigned to Glens Falls, N. Y., found barred by the statute of limitations. Complaint dismissed.

*H. & R. Mining & Mfg. Co. v. A. & S. R. R.*, 104 I. C. C. 671.

295. Rates applicable on articles named in the uniform brick list, in carloads, from East St. Louis, Ill., to destinations within the switching district of St. Louis, Mo., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Petroleum from West Virginia*, 104 I. C. C. 676.

296. Proposed increased rates on petroleum and its products, in carloads, from points on the Baltimore & Ohio between Charleston and Gassaway, W. Va., to Buffalo, N. Y., and points grouped therewith, found justified. Order of suspension vacated and proceedings discontinued.



*Rice from Arkansas, Louisiana, and Texas*, 104 I. C. C. 681.

297. Proposed increased and reduced rates on rice and rice products, in carloads, from points in Arkansas, Louisiana, and Texas, and from Memphis, Tenn., to points in central and western trunk-line territories, found not justified. Suspended schedules ordered canceled and proceeding discontinued, without prejudice to the filing of new schedules in conformity with the findings herein.

*Eldlund Broom Corp. v. B. & M. R. R.*, 104 I. C. C. 692.

298. Carload rating in official, southern, and western classifications of second class, minimum 12,000 pounds, on the type of brooms manufactured and sold by complainants found unreasonable to the extent that it exceeds fourth class, minimum 24,000 pounds. Former report, 92 I. C. C. 749, reversed in part.

*West Coast Lumbermen's Asso. v. A. & S. Ry. Co.*, 104 I. C. C. 695.

299. Upon complaints attacking destination groupings and applicable rates prescribed in the former report, 78 I. C. C. 746, on lumber and other forest products from points in the north Pacific coast group to points in the Southwest, proceedings reopened for further hearing. Question of reparation also reconsidered. Former report modified and reparation denied.

*Cudahy Packing Co. v. Director General*, 104 I. C. C. 705.

300. Shipments of sheep and hogs, in single-deck or double-deck carloads, from South Omaha, Nebr., Sioux City, and certain other points in Iowa to Kansas City and Wichita, Kans., on which charges were collected based upon actual values declared by the shippers, found not to have been overcharged. Complaint dismissed.

*Kaner v. C., St. P., M. & O. Ry. Co.*, 104 I. C. C. 710.

301. Shipments of scrap iron, in carloads, from Superior, Wis., to Steelton, Minn., found not misrouted and applicable charges collected found not unreasonable or otherwise unlawful. Complaint dismissed.

*Classification of Insulating Material*, 104 I. C. C., 713.

302. Proposed increased classification ratings on insulating material, viz, flax felt and wood-fiber felt, in carloads and less than carloads, in western and southern territories, found justified. Order of suspension vacated and proceeding discontinued.

*Pennsylvania Sand & Gravel Producers Asso. v. B. & O. R. R. Co.*, 104 I. C. C. 717.

303. Rates on sand and gravel from points in western Pennsylvania to destinations in Ohio, West Virginia, and New York found unreasonable and unduly prejudicial. Rates prescribed for the future.

*Salt from Ohio and West Virginia*, 104 I. C. C. 730.

304. Proposed increased rates on salt, in carloads, from Pomeroy, Ohio, Hartford, Mason City, Malden, Witcher, and Dickinson, W. Va., to Cincinnati, Ohio, and points within the Cincinnati switching district, found justified in part.

305. Proposed increased rates on salt, in carloads, from Hartford and Mason City to Chesapeake & Ohio Railway stations, Fernald, Ohio, to Bath, Ind., inclusive, found not justified.

*Coulbourn Fruit Co. v. B. & O. R. R. Co.*, 104 I. C. C. 734.

306. Rates on strawberries and tomatoes, in carloads, from points in Tennessee and Kentucky to Youngstown, Ohio, found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Express rates on fruits and vegetables*, 104 I. C. C. 739.

307. Proposed cancellation of certain commodity rates on fruits and vegetables, in carloads, between Mountain-Pacific and eastern and central territories found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Grain Products to Arkansas*, 104 I. C. C. 742.

308. Proposed withdrawal of the Wabash from participation in joint rates on grain products from Chicago, Ill., to destinations in Arkansas on the Missouri Pacific found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Grovier-Starr Produce Co. v. C., R. I. & P. Ry. Co.*, 104 I. C. C. 745.

309. Rates on tomatoes, in carloads, from Fruitland and Gibson, Tenn., to Hutchinson, Kans., found unduly prejudicial. Relationship prescribed for the future.

*Hyman-Michaels Co. v. C. & O. Ry. Co.*, 104 I. C. C. 749.

310. Rates on empty steel shells, in carloads, from Penniman, Va., to Carnegie, Pa., and Canton, Ohio, found unreasonable. Reparation awarded.

*Woodhead Lumber Co. v. P. E. Ry. Co.*, 104 I. C. C. 751.

311. Charges assessed on imported cement, in carloads, from San Pedro to Los Angeles, Calif., found applicable and not unreasonable. Complaint dismissed.

*Grain and grain products to La., Okla., and Tex.*, 104 I. C. C. 753.

312. Proposed cancellation of joint rates on grain and grain products, in carloads, from points on the Los Angeles & Salt Lake to destinations in Louisiana, Oklahoma, and Texas found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Storage in transit on import traffic*, 104 I. C. C. 755.

313. Proposed reduction in the time limit for storage in transit of tea, matting, grass, matting and grass articles, and rattan furniture, from 18 months to 12 months, found not justified as to tea, but justified as to the other commodities. Suspended schedules ordered canceled and proceeding discontinued. Respondents to publish new schedules in conformity with findings herein.

*Jackson Paper Co. v. A. G. S. Ry. Co.*, 104 I. C. C. 758.

314. Rates on wrapping paper, in less than carloads, from Hartsville, S. C., to Jackson, Miss., found unduly prejudicial to complainant. Defendants required to remove undue prejudice. Reparation denied.

*Nitrate of Soda from New Orleans*, 104 I. C. C. 761.

315. Proposed increased rates on nitrate of soda, in carloads, from New Orleans, La., and supports to points in Arkansas and Oklahoma found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Grain and Grain Products to Ohio River Crossings*, 104 I. C. C. 764.

316. Proposed increased rates on grain and screenings thereof, in carloads, from Mount Vernon, Ind., to Jeffersonville, Madison, and New Albany, Ind., applicable on interstate traffic, and to Louisville, Ky., found justified. Order of suspension vacated and proceeding discontinued.

*United Central Oil Corp. v. M. P. R. R. Co.*, 107 I. C. C. 1.

317. Establishment of a rate of 16 cents on crude petroleum from the El Dorado, Ark., district to Houston, Tex., in lieu of former rate of 22.5 cents, found to remove undue prejudice and preference existing by reason of the maintenance of a rate of 14 cents from the same district to New Orleans, La., and reasonableness of 16-cent rate not impeached. Complaint dismissed.

*N. Y. Federal Reserve Bank v. American Ry. Express Co.*, 107 I. C. C. 4.

318. Express rates, rules, and practices applicable to the transportation of gold coin, silver coin, and paper currency of the United States, gold bullion, silver bullion, and securities from, to, and between interstate points found not unreasonable, unjustly discriminatory, unduly prejudicial, or otherwise unlawful. Complaint dismissed.

*Allen & Co. v. P. R. R. Co.*, 107 I. C. C. 18.

319. Refrigeration charges assessed on shipments of strawberries from points in Virginia, Maryland, and Delaware to various destinations found applicable and not unreasonable or unduly prejudicial. Complaint dismissed.

*Marinette & Menominee Paper Co. v. C. & N. W. Ry. Co.*, 107 I. C. C. 21.

320. Rate on coal, in carloads, from the docks in Menominee, Mich., to complainants' mill in Marinette, Wis., found not unreasonable, unjustly discriminatory, or unduly prejudicial.

321. Interchange switching charge of the Chicago & North Western on pulp wood, in carloads, forwarded to Menominee, Mich., in connection with the Wis-



consin & Michigan, found not unreasonable but unduly prejudicial and undue prejudice ordered removed.

322. Rates on wood pulp, paper, and paper bags, in carloads, between complainants' mills in Menominee, Mich., on the one hand, and Marinette, Wis., on the other, found unreasonable and reasonable rates prescribed.

*Gulf City Mfg. Co. v. A. R. R. Co.*, 107 I. C. C. 29.

323. Rates on crushed oyster shells, in carloads, from Apalachicola, Fla., to Mississippi and Ohio River crossings, and beyond, found not unreasonable. These rates found to subject complainant to undue prejudice, as compared with rates on the same commodity to the same destinations from competitive points of production located along the Gulf of Mexico.

*S. Dak. Board of Railroad Commisisoners v. C. & N. W. Ry. Co.*, 107 I. C. C. 35.

324. Rates on flaxseed, in carloads, from points in South Dakota to Minneapolis, Duluth, Chicago, Milwaukee, Des Moines, Omaha, and Kansas City found unreasonable to the extent that they exceed the contemporaneously applicable rates on wheat to the respective points by more than 12 per cent; and the interstate rates on flaxseed maintained by defendants to these respective points found unduly prejudicial to South Dakota shippers and preferential of North Dakota, Minnesota, and Montana shippers. Reasonable rates prescribed for the future, and undue prejudice ordered removed.

325. Interstate rates on flaxseed, in carloads, from South Dakota points and intrastate rates on flaxseed from Minnesota points to Minneapolis and Duluth found unduly prejudicial to South Dakota shippers and unduly preferential of Minnesota shippers in violation of sections 3 and 13 of the interstate commerce act.

326. Schedules under suspension, naming interstate rates on flaxseed from Minnesota, South Dakota, and certain North Dakota points to western trunk-line destinations found not justified. Suspended schedules ordered canceled.

*Boulder Chamber of Commerce v. A. T. & S. F. Ry. Co.*, 107 I. C. C. 49.

327. Summer excursion fares from eastern points to Boulder, Colo., found unduly and unreasonably prejudicial to that city, and preferential of Colorado Springs and Pueblo, Colo. Undue prejudice ordered removed.

*American Tobacco Co. v. Director General*, 107 I. C. C. 55.

328. Rate applicable on shipments of cigarettes from Durham, N. C., to Brooklyn, N. Y., found unreasonable. Waiver of collection of undercharges authorized and complaint dismissed.

*Lumber and related articles to Eastern Canada*, 107 I. C. C. 57.

329. Proposed adjustment of rates on lumber and related articles from south Pacific coast States to Canadian points which would result in both increases and reductions found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules establishing rates in conformity with the views expressed.

*Heineman Lumber Co. v. C., St. P., M. & O. Ry. Co.*, 107 I. C. C. 62.

330. Charges on a shipment of lumber from Stillwater, Minn., to Bay City, Mich., found illegally advanced.

*Automatic train-control devices*, 107 I. C. C. 65.

331. After inspection and test, installation found to meet with the requirements of our specifications and order, and installation approved, except as indicated.

332. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Sunny Brook Distillery Co. v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 77.

333. Storage charges assessed on a carload of whisky stored at El Paso, Tex., found inapplicable. Defendants directed to refund the overcharge. Complaint dismissed.

*Miller & Brickley Grain Co. v. Director General*, 107 I. C. C. 81.

334. Rate charged on a carload of chestnut hard coal from Dunmore, Pa., to Uniondale, Ind., found inapplicable. Reparation awarded.



*Iron and steel between New Jersey and New England points*, 107 I. C. C. 83.

335. Upon further consideration, proposed increased rates on iron and steel articles, in carloads and less than carloads, between Newark, N. J., and points grouped therewith, and New England points, found not justified. Former finding in 93 I. C. C. 499 affirmed.

*Florence Chamber of Commerce v. A. & V. Ry. Co.*, 107 I. C. C. 84.

336. Rates on refined petroleum, in carloads, from points in Oklahoma, Arkansas, Louisiana, and Texas, also Mobile, Ala., over interstate routes, and Pensacola, Fla., to Florence, Sheffield, Tusculumbia, and Russelville, Ala., found not unreasonable or unjustly discriminatory, but unduly prejudicial to those destinations and preferential of Corinth, Miss., Decatur, Ala., and Columbia, Tenn. Nonprejudicial basis of rates prescribed. Reparation denied.

337. Proposed restriction of routes on petroleum and its products, in carloads, from Gulf ports and related points to destinations in Alabama, Tennessee, Kentucky, Ohio, Indiana, and Missouri found not justified.

*Colo. Public Service Co. v. U. P. R. R. Co.*, 107 I. C. C. 97.

338. Rates on gas oil in tank-car loads from Parco, Wyo., to Denver, Colo., found unreasonable. Reparation awarded and reasonable rate prescribed.

*Hill v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 101.

339. Rates on fresh fruits and vegetables, in carloads and less than carloads, from California points to Prescott, Ariz., found unreasonable. Reparation awarded on shipments from Los Angeles group, and reasonable rates prescribed for the future on less-than-carload shipments.

*Arbogast & Bastian Co. v. L. V. R. R. Co.*, 107 I. C. C. 105.

340. Components of through rates beyond East Penn Junction, Pa., on cattle and hogs, in carloads, from Chicago, Ill., Indianapolis, Ind., and South St. Paul, Minn., to Allentown, Pa., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

*Walla Walla County Farm Bureau v. N. P. Ry. Co.*, 107 I. C. C. 110.

341. Rates on grain and grain products from points in Washington and Oregon south of the Snake River to Portland, Oreg., Seattle and Tacoma, Wash., and other north Pacific ports, found not unreasonable or unduly prejudicial. Complaint dismissed.

*Dolese Bros. Co. v. C., R. I. & P. Ry. Co.*, 107 I. C. C. 127.

342 Applicable rates on agricultural limestone, in carloads, from Buffalo, Iowa, to destinations in Illinois found unreasonable. Reparation awarded.

*Watab Paper Co. v. N. P. Ry. Co.*, 107 I. C. C. 131.

343. Rate on pulp wood from Soo Junction and Hendrie, Mich., to Sartell, Minn., on shipments in 1920, found unreasonable. Reparation awarded.

*Sturges Co. v. A. & V. Ry. Co.*, 107 I. C. C. 136.

344. Switching charges on shipments receiving transit at Meridian, Miss., found to have been illegally assessed. Reparation awarded.

*Canton Bridge Co. v. B. & O. R. R. Co.*, 107 I. C. C. 141.

345. Carload rates on iron and steel articles from the Pittsburgh, Pa., group to Canton and Massillon, Ohio, found unreasonable. Reparation awarded.

*Texas Co. v. T. & P. Ry. Co.*, 107 I. C. C. 147.

346. Rates on gasoline and kerosene, in tank-car loads, from Gates, Tex., to Port Arthur, Tex., for export, found not unreasonable. Complaint dismissed.

*Boyle-Dayton Co. v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 151.

347. Assailed rates on glass lamp globes, lettered, in boxes, in less than carloads, from Cincinnati and Brighton, Ohio, to Los Angeles, Calif., found applicable but unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*American Clay Products Co. v. P. R. R. Co.*, 107 I. C. C. 153.

348. Rates on stoneware, in carloads, from Crooksville and Roseville, Ohio, to Philadelphia, Pa., Baltimore, Md., and Bushwick, Long Island, N. Y., found not unduly prejudicial. Complaint dismissed.

*Raleigh Freight Traffic Bureau v. A. C. L. R. R. Co.*, 107 I. C. C. 156.

349. Rates on crushed stone, in carloads, from Columbia, S. C., to Wilford and Edwards, N. C., and present rate to Dean Siding, N. C., found not unreasonable. Reasonable rate to Dean Siding, N. C., during the period of movement, determined. Complaint dismissed.

*Speir & Co. v. A. G. S. R. R. Co.*, 107 I. C. C. 161.

350. Rates charged on shipments described as cottonseed-hull fiber or shavings, in carloads, from Sylacauga, Ala., to Meridian, Miss., found to have been in excess of the rate applicable. Reparation awarded.

*Liberty Cooperage & Lumber Co. v. E. R. R. Co.*, 107 I. C. C. 165.

351. Rate charged on a carload of rough lumber from North Lewisburg, Ohio, to Chicago, Ill., found unreasonable. Reparation awarded.

*Grain and grain products to Mississippi Valley*, 107 I. C. C. 167.

352. Proposed withdrawal of the Pennsylvania Railroad Co. from participation in joint rates on grain and grain products, in carloads, from Omaha, Nebr., South Omaha, Nebr., and Council Bluffs, Iowa, to New Orleans, La., and other destinations found justified. Suspended schedules ordered canceled and proceedings discontinued without prejudice to the filing of new schedules in conformity with the views expressed herein.

*Soda products to New York lighterage points*, 107 I. C. C. 171.

353. Proposed increased interstate rates on soda products, in carloads, from Syracuse and Solvay, N. Y., to New York lighterage points, found justified. Order of suspension vacated and proceedings discontinued.

*Classification of combined radio sets and talking machines*, 107 I. C. C. 175.

354. Proposed increased rating in official classification on combined talking machines and radio sets, in carloads, found not justified. Suspended schedule ordered canceled and proceeding discontinued.

*Refrigeration of less-than-carload perishable freight*, 107 I. C. C. 179.

355. Proposed amendment of rule 630-H, perishable protective tariff, I. C. C. No. 1, as to fruits and vegetables, in Illinois classification territory, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Parkersburg Rig & Reel Co. v. C., R. I. & P. Ry. Co.*, 107 I. C. C. 182.

356. Decision in 95 I. C. C. 181, finding rates assailed on rig irons, in carloads, from Parkersburg, W. Va., to destinations in Louisiana, Arkansas, Oklahoma, Kansas, Montana, and California, unreasonable for the future, and prescribing reasonable rates, affirmed upon reargument. Finding of unreasonableness for the past, reversed, and reparation denied.

*Parkersburg Rig & Reel Co. v. C. & N. W. Ry. Co.*, 107 I. C. C. 187.

357. Rates on rig-iron outfits and fabricated-steel tank material, including plates or sheets No. 12 to No. 14 gauge, in carloads, from Parkersburg, W. Va., to Riverton, Wyo., found unreasonable. Reparation awarded and reasonable rates prescribed for the future.

*N. C. Pine Asso. v. A. C. L. R. R. Co.*, 107 I. C. C. 190.

358. Rates on lumber and other forest products taking the same rates, in carloads, from points on short lines in southern territory, except from points on the Atlanta & St. Andrews Bay Railway, to destinations in trunk-line and New England territories found as a whole not unreasonable or otherwise unlawful.

359. Rates on lumber and other forest products taking the same rates, in carloads, from points on the Atlanta & St. Andrews Bay Railway to the same destinations found unduly prejudicial. Nonprejudicial basis of rates prescribed.

360. Independent short lines in southern territory named in Appendix B granted authority to continue to charge lower rates on lumber and other forest products, in carloads, to trunk-line and New England territories from junction points with trunk-line connections than from intermediate points on their lines, subject to the conditions stated in the report.

*Burlington Shippers' Asso. v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 198.

361. Rates on lumber and related commodities, in carloads, from Washington, Oregon, Idaho, Montana, and California to destinations in Iowa, found un-

reasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.

*Hastings Commercial Club v. C., M. & St. P. Ry. Co.*, 107 I. C. C. 208.

362. Upon further hearing, findings in original report, 69 I. C. C. 489, that a joint use of the terminal facilities of the Chicago, Milwaukee & St. Paul Railway Company at Hastings, Minn., by that carrier and the Chicago, Burlington & Quincy Railroad Company is in the public interest, reversed, and complaint dismissed.

*York Mfrs. Asso. v. P. R. R. Co.*, 107 I. C. C. 219.

363. Upon further hearing, former report, 73 I. C. C. 40, the practice of the Pennsylvania and Western Maryland of interchanging traffic at Hagerstown, Md., and refusing to do so at York under substantially similar transportation conditions found unduly prejudicial to York and shippers there located.

364. Practice of the Pennsylvania and Western Maryland of extending the use of their tracks to each other for the purpose of terminal receipt and delivery of freight at industries in York within the trackage zone described in the report, while contemporaneously refusing to accord to industries outside the trackage zone the benefit of the service, rates, and routes of both lines found unduly prejudicial to such outside industries.

365. Practice within the trackage zone as above described found tantamount in practical effect to the maintenance of a limited reciprocal free switching district. Continuance of the practice found to be just, fair, and reasonable for the future as to industries in the trackage zone, and substantial equality of treatment required as to industries outside the zone by the establishment in the public interest of a switching district at York, with interchange at that point.

*Western Brick Co. v. N. Y. C. R. R. Co.*, 107 I. C. C. 245.

366. Rates on articles in the uniform brick list, in carloads, from Danville, Ill., to points in Wisconsin, Michigan, Minnesota, and North Dakota, found not unreasonable but unduly prejudicial. Nonprejudicial relationships of rates prescribed for the future. Reparation denied.

*Lane v. S. P. Co.*, 107 I. C. C. 253.

367. Rates on apples, in bulk or in lug boxes without tops, in carloads, from California points to Detroit, Mich., in effect in 1921, found unreasonable and unduly prejudicial. Waiver of undercharges authorized and complaint dismissed.

*Class Rates from Upper Mississippi River Crossings*, 107 I. C. C. 256.

368. Proposed interstate class rates between upper Mississippi River crossings and related points and points in Minnesota and North Dakota found not justified. Suspended schedules ordered canceled and proceeding discontinued, without prejudice to the filing of new schedules in conformity with the findings herein.

*National Asso. of Ice Cream Mfrs. v. American Ry. Express Co.*, 107 I. C. C. 267.

369. Estimated billing weights on shipments of ice cream by express, and the rates and charges resulting therefrom, found not to have been or to be unreasonable or unjustly discriminatory. Complaint dismissed.

*Federal Products Co. v. I. C. R. R. Co.*, 107 I. C. C. 271.

370. Through charges on shipments of blackstrap molasses, in carloads, from New Orleans, La., and points taking the same rates, to Cincinnati, Ohio, there converted into denatured alcohol, and reshipped as such to interstate destinations, found not unduly prejudicial or otherwise unlawful. Complaint dismissed.

*Export rates on wheat and its products from Montana*, 107 I. C. C. 276.

371. Proposed cancellation of export rates on grain and its products, in carloads, from points in western Montana to Seattle, Wash., and other north Pacific coast ports found not justified. Suspended schedules ordered canceled.

372. Domestic rates on grain and grain products, in carloads, from points in Montana to Minneapolis, Minn., Seattle, Wash., and other destinations found not unreasonable or otherwise unlawful. Complaint dismissed.



*Kalamazoo Chamber of Commerce v. C. & O. Ry. Co.*, 107 I. C. C. 291.

373. Rates on coal from Ohio and the Crescent districts to certain points in the Lower Peninsula of Michigan and to Elkhart, Ind., found not unreasonable or otherwise unlawful. Complaints dismissed.

*Cairo Cotton Oil Mill v. M. & O. R. R. Co.*, 107 I. C. C. 299.

374. Rates on cottonseed, in carloads, from Light, Ark., to Cairo, Ill., found not unreasonable. Complainant not shown to have been damaged by any undue prejudice which may have existed. Complaint dismissed.

*Dewey Bros. Co. v. H. V. Ry. Co.*, 107 I. C. C. 303.

375. Shipments of baled hay, in carloads, from Delaware and Prospect, Ohio, to Waynesville, N. C., found to have been misrouted. Reparation awarded.

*Bowers Co. v. Director General*, 107 I. C. C. 305.

376. Shipment of piles moving in two cars from Hadley, Ala., to West New Brighton, N. Y., found to have been overcharged. Reparation awarded.

*Lissberger & Co. v. C. & O. Ry. Co.*, 107 I. C. C. 308.

377. Upon reconsideration charges on zinc dross, in carloads, from Ashland, Ky., to Newport News, Va., found unreasonable. Reparation awarded. Original report, 101 I. C. C. 23, modified.

*Armour & Co. v. Director General*, 107 I. C. C. 310.

378. Claim for reparation on shipments alleged to have been misrouted during Federal control found barred by the statute of limitation. Complaint dismissed.

*McCabe Lathe & Machinery Corp. v. N. Y., N. H. & H. R. R. Co.*, 107 I. C. C. 311.

379. Rate on "scraps or pieces of iron or steel having value for remelting purposes only" found not applicable to shipments of obsolete lathe parts from Providence, R. I., to Jersey City, N. J. Complaint dismissed.

*Hunter Bros. Mercantile Co. v. American Ry. Express Co.*, 107 I. C. C. 313.

380. Express rates on fresh fruits and vegetables from the Farmington district in New Mexico to destinations in Colorado found not unreasonable.

381. Intrastate rates on like traffic from the Western Slope district of Colorado to destinations in that State imposed by State authority found not unduly preferential of that district nor unduly prejudicial to the Farmington district, and not unjustly discriminatory against interstate commerce. Complaint dismissed.

*Chicago Board of Trade v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 319.

382. Rates on grain and grain products, in carloads, from Iowa producing points to Chicago, Ill., found not unreasonable, but unduly prejudicial to Chicago and preferential of St. Louis, Mo., and, as to certain points of origin, preferential of Kansas City, Mo.-Kans. Nonprejudicial relationship of rates prescribed.

*Concrete Roofing Slabs from Chicago*, 107 I. C. C. 335.

383. Proposed increased rates on concrete roofing slabs, in carloads, from Chicago, Ill., and points grouped therewith and from Terre Haute, Ind., to destinations in central territory found justified. Order of suspension vacated and proceeding discontinued.

*Orford Soap Co. v. B. & M. R. R.*, 107 I. C. C. 338.

384. Finding in original report, 95 I. C. C. 615, that rates on feldspar from Keene, N. H., to Manchester, Conn., were unreasonable affirmed on further argument.

*Cheese to Illinois and Wisconsin*, 107 I. C. C. 340.

385. Proposed increased rates on cheese, in carloads, from points in southern Wisconsin to Chicago, Ill., and other points found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Peanuts from Virginia and North Carolina*, 107 I. C. C. 343.

386. Proposed increased rates on peanuts, in carloads and less than carloads, from Virginia and North Carolina points to destinations in southeastern and

Mississippi Valley territories found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Apples from Virginia points*, 107 I. C. C. 349.

387. Propose increased rates on apples, in carloads and less than carloads, from points on the Washington division and Manassas-Harrisonburg branch of the Southern Railway, and from points on the Washington & Old Dominion Railway to eastern destinations found justified except in those instances in which the proposed rates exceed the existing fifth-class rates in carloads, and third class in less than carloads. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the finding herein.

*Chero Cola Bottling Co. v. C. of G. Ry. Co.*, 107 I. C. C. 355.

388. Fifth-class rate, in carloads, and third class, in less than carloads, on shipments of Chero Cola from Columbus, Ga., to Montgomery, Ala., found applicable and not unreasonable. Complaint dismissed.

*Ore and Concentrates between California, Nevada, and Utah*, 107 I. C. C. 357.

389. Increased rates on ore and concentrates from points in California, Nevada, and Utah to smelter points in Utah and California found not justified. Suspended schedules ordered canceled and proceedings discontinued.

*Werner v. Director General*, 107 I. C. C. 363.

390. Collection of passenger fares for the transportation of attendants with carload shipments of live poultry, shipped from points in various States to Hoboken, N. J., found unreasonable. Reparation awarded.

*Automatic train-control devices*, 107 I. C. C. 367.

391. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

392. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Bourgoin & Co. v. C., B. & Q. R. R. Co.*, 107 I. C. C. 376.

393. Rates charged on 23 carloads of rough granite from Middlebrook, DeSoto, and Iron Mountain, Mo., to Elmwood, Ill., found unreasonable. Reparation awarded.

*Crook Son & Co. v. K., L. S. & C. Ry. Co.*, 107 I. C. C. 379.

394. Rates on 11 carloads of logs from Pawpaw and Lawton, Mich., to Hicksville, Ohio, during January, February, and March, 1923, found unjust and unreasonable, but not otherwise unlawful. Reparation awarded.

*Reliance Brick Co. v. M., K. & T. Ry. Co.*, 107 I. C. C. 381.

395. Rate on common brick, in carloads, from Idla, Kans., to Kansas City, Mo., found unreasonable. Defendants authorized to waive undercharges.

*Jackson Traffic Bureau v. St. L.-S. F. Ry. Co.*, 107 I. C. C. 383.

396. Following *Jackson Traffic Bureau v. St. L.-S. F. Ry. Co.*, 88 I. C. C. 188, rate charged on two cars of common window glass shipped from Okmulgee, Okla., to Jackson, Miss., found unreasonable. Reparation awarded.

*Automatic train-control devices*, 107 I. C. C. 385.

397. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

398. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Sall Mountain Co. v. A., T. & S. F. Ry.*, 107 I. C. C. 395.

399. Rates on solid asphalt in iron barrels and drums, in carloads, from Port Arthur and West Port Arthur, Tex., to Porter, Ind., found unreasonable. Reparation awarded.

*Gulf Red Cypress Co. v. A. R. R. Co.*, 107 I. C. C. 397.

400. Rate on cypress, ash, and maple lumber, in carloads, from Gable, S. C., to Cincinnati, Ohio, found unreasonable. Reparation awarded.

*Chicago Fire Brick Co. v. A. & W. Ry. Co.*, 107 I. C. C. 399.

401. Rates on sewer pipe and wall coping, in carloads, from Brazil and Mecca, Ind., to points in Illinois, Wisconsin, and Minnesota found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future. Reparation denied.

*Ashes and cinders between points on I. H. B. R. R.*, 107 I. C. C. 408.

402. Proposed increased interstate rates on manufacturing-plant refuse, including ashes and cinders, not having value for construction purposes, and on quarry strippings between points on the Indiana Harbor Belt Railroad found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*United States Finishing Co. v. N. Y., N. H. & H. R. R. Co.*, 107 I. C. C. 412.

403. Rate on bituminous coal, in carloads, from Allyn's Point to Sterling, Conn., as part of a through interstate movement from Virginia mines by rail and water, found not unreasonable.

404. Rate on bituminous coal, in carloads, from South Providence and Harbor Junction Wharf, R. I., to Sterling found unreasonable. Reasonable rate prescribed and reparation awarded.

*Coal from southern Illinois*, 107 I. C. C. 415.

405. Proposed reduced rates over certain lines on coal, in carloads, from points in the southern Illinois, Murphysboro, Centralia, and Du Quoin districts to St. Louis, Mo., and near-by points in Missouri, found not justified. Suspended schedules ordered canceled and the proceeding discontinued.

*Reduced rates to Pacific coast terminals*, 107 I. C. C. 421.

406. Application for authority to establish reduced rates on certain commodities from eastern defined territories, Groups D to J, inclusive, to Pacific coast terminals, without observing the long-and-short-haul provision of section 4 of the interstate commerce act, denied.

*Mitsui & Co. v. Director General*, 107 I. C. C. 469.

407. Upon further hearing complainant found to have borne the transportation charges on shipments covered by its complaint. Finding in original report herein, 81 I. C. C. 169, reversed.

408. Rates on carload shipments of tin, in slabs, imported from China and shipped from San Francisco, Calif., to Chicago, Ill., Newark, N. J., and New York, N. Y., found unreasonable, but not unjustly discriminatory or unduly prejudicial. Reparation awarded.

*Hammond Iron Works v. P. R. R. Co.*, 107 I. C. C. 473.

409. Interstate rates on iron and steel articles from points in the Pittsburgh district, Cleveland and Youngstown, Ohio, Buffalo, N. Y., and Claymont, Del., to Warren and Struthers, Pa., not shown to be unreasonable or otherwise unlawful.

410. Charges of defendant Pennsylvania Railroad Company for the interchange and switching at Warren, Pa., of interstate inbound carload shipments of iron and steel articles destined to Struthers, Pa., found unreasonable. Reasonable maximum charge prescribed for the future. Reparation denied.

411. Fourth-section relief denied.

*Jones v. P. R. R. Co.*, 107 I. C. C. 483.

412. Upon reconsideration, rates charged on bicycles, in carloads, from Little Falls, N. Y., to San Francisco, Calif., and from Middletown, Ohio, to Oakland, Calif., found inapplicable. Reparation awarded. Original report, 93 I. C. C. 697, reversed.

413. Claims for reparation on a shipment of bicycles from Westfield, Mass., to San Francisco, and one from Middletown, Ohio, to Oakland, not presented formally until more than two years after the cause of action accrued and more than six months after notice to the claimant that they could not be adjusted informally, found to have been abandoned.

*Four States Grocer Co. v. K. C. S. Ry. Co.*, 107 I. C. C. 485.

414. Rates on sugar, in carloads, from New Orleans, Gramercy, Reserve, and Three Oaks, La., to Texarkana, Ark.-Tex., Hope, Ashdown, and Nashville, Ark., found not unreasonable but unduly prejudicial. Complainants not shown to have been damaged by the undue prejudice.



*Atwater & Co. v. M. C. R. R. Co.*, 107 I. C. C. 491.

415. Demurrage charges for the detention of a carload of coal at Tewonsha, Mich., found applicable and not unreasonable. Complaint dismissed.

*Twin cities and head of Lakes joint passenger-train service*, 107 I. C. C. 493.

416. Proposed joint passenger-train service and division of earnings therefrom found to be in interest of economy of operation, not to unduly restrain competition, and to be upon just and reasonable terms and conditions.

*Boston Wool Trade Asso. v. B. & A. R. R. Co.*, 107 I. C. C. 497.

417. Former report, 77 I. C. C. 431, incorrectly stated the rate situation with respect to rates on wool, in the grease, from Missouri points to the Mississippi River. This error corrected and appropriate findings made.

*Elberta Crate Co. v. A. C. L. R. R. Co.*, 107 I. C. C. 499.

418. Rates on crate and box material, in carloads, from Bainbridge and Brunswick, Ga., to destinations in Florida on the Florida East Coast Railway found not unreasonable and the rates from Brunswick found not unduly prejudicial in relation to the rates from Savannah, Ga., to the same destinations.

419. Rates on the same commodities from Bainbridge and Brunswick to the same destinations found unduly prejudicial to complainants and unduly preferential of their competitors shipping intrastate in Florida. No order entered, but the proceedings held open to afford the Florida authorities opportunity to authorize such changes in the intrastate rates as will remove the undue prejudice and preference.

420. Reparation denied.

*Poston Brick Co. v. I. T.*, 107 I. C. C. 507.

421. Shipments of three carloads of brick from Springfield, Ill., to St. Petersburg, Fla., found to have been overcharged. Reparation awarded.

*La Fayette Box Board & Paper Co. v. C., C., & St. L. Ry. Co.*, 107 I. C. C. 509.

422. Upon further argument and reconsideration, finding in 93 I. C. C. 579, that the rate on bituminous coal, in carloads, from Harrisburg, Ill., to La Fayette, Ind., from October, 1922, to June, 1923, inclusive, was not and is not unreasonable, affirmed. Undue prejudice not alleged.

*National Live Stock Exch. v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 512.

423. Upon reconsideration, rules and charges of defendants governing the bedding of livestock cars found not unreasonable for application by all defendants. Findings in former reports in that regard, 80 I. C. C. 747 and 87 I. C. C. 157, reversed in so far as inconsistent with present findings herein.

*Fort Smith, Subiaco & R. I. R. R. Co. v. A. & V. Ry. Co.*, 107 I. C. C. 523.

424. Upon further consideration, through routes and joint rates between points on defendants' lines applicable via complainant's line as an intermediate carrier found desirable in the public interest and ordered established. Original report, 102 I. C. C. 708.

*Express Publishing Co. v. A. S. R. R. Co.*, 107 I. C. C. 528.

425. Rates on newsprint and printing papers, in carloads, from producing points in Atlantic seaboard territory to points in Texas, found to have been unreasonable, but the present rates are found not unreasonable. Reparation awarded.

426. Rate on wood-pulp board, in carloads, from Bellows Falls, Vt., to Oklahoma City, Okla., found unreasonable. Reasonable basis for the future prescribed.

427. Rates on printing paper and Bristol board, in carloads, from Holyoke, Mass., to Oklahoma City found to have been and to be unreasonable. Reasonable basis of rates for the future prescribed and reparation awarded.

*Hartford Times v. M. C. R. R. Co.*, 107 I. C. C. 536.

428. Rates on newsprint paper, in carloads, from points in Maine and Vermont to points in Massachusetts, Rhode Island, Connecticut, and New York found unreasonable. Reparation awarded.

*Blackshear Mfg. Co. v. A. C. L. R. R. Co.*, 107 I. C. C. 538.

429. Rates on fertilizer, in carloads and less than carloads, from Jacksonville, Fla., to certain destinations within that State, based on or lower than scales fixed by the railroad commissioners of Florida, found to result in undue preference and advantage of producers of fertilizer at Jacksonville and shippers of fertilizer in intrastate commerce from that point, in undue prejudice to producers of fertilizer at Blackshear, Ga., and shippers of fertilizer in interstate commerce from that point, and in unjust discrimination against interstate commerce. Undue preference, undue prejudice, and unjust discrimination ordered removed. Original report, 87 I. C. C. 654.

*Hughes Tool Co. v. A. & R. R. R. Co.*, 107 I. C. C. 545.

430. Rating of second class in western classification on rotary drilling bits, fishing taps, milling tools, and weight indicators, in less than carloads, not found unreasonable or otherwise unlawful. Western classification rating of first class on rotary-tool joints, in less than carloads, found unreasonable to the extent it exceeds second class. Reparation awarded.

*Smith, Richardson & Conroy v. N. Y. C. R. R. Co.*, 107 I. C. C. 553.

431. Rate charged on 400 cases of canned fruit, in tins, shipped November 26, 1922, from Red Creek, N. Y., to Jacksonville, Fla., found unreasonable. Reparation awarded.

*Roswell Auto Co. v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 555.

432. Rates charged on automobiles, in carloads, from Omaha, Nebr., to Roswell, N. Mex., found applicable and not unreasonable. Complaint dismissed.

*Lettuce to eastern points*, 107 I. C. C. 559.

433. Increased estimated weight on lettuce, in crates, moving transcontinentally eastbound from points west of Albuquerque, Belen, and Deming, N. Mex., El Paso, Tex., and Salt Lake City, Utah, also certain points in northern California, found justified.

*Beatrice Creamery Co. v. C., B. & Q. R. R. Co.*, 107 I. C. C. 568.

434. Rates charged on seven carloads of apples shipped from Delta and Montrose, Colo., to Lincoln, Nebr., there stored and reshipped to St. Louis, Mo., and points in Kansas, Oklahoma, and Texas, found not unreasonable. Complaint dismissed.

*Bush Bros. & Co. v. C. T. Co.*, 107 I. C. C. 571.

435. Rate applicable on vehicle material assessed by analogy on a carload of hickory pieces asserted, but not shown to have been golf-shaft material, found inapplicable. Commodity rate on lumber found applicable. Reparation awarded.

*Lynchburg Chamber of Commerce v. B. & O. R. R. Co.*, 107 I. C. C. 573.

436. Charges on two carload shipments of lumber from Hillsboro, Ga., to Potomac Yard, Va., and redesignated to West End, Pittsburgh, Pa., found to have been inapplicable, resulting in an overcharge to the basis of the lower applicable combination. Refund of overcharges directed and complaint dismissed.

*Vickers v. A., T. & S. F. Ry. Co.*, 107 I. C. C. 575.

437. Rates demanded for the return movement of one carload of polo ponies from Riverside, Calif., to Wichita, Kans., and one carload of polo ponies from Colorado Springs, Colo., to Wichita, found applicable. Complaint dismissed.

*Hopfenmaier v. B. & O. R. R. Co.*, 107 I. C. C. 577.

438. Rates charged for the transportation of inedible tallow and inedible grease, in carloads, from Georgetown and Bennings, D. C., to Jersey City, N. J., Port Ivory, N. Y., and Brooklyn, N. Y., and New York Harbor lighterage points, found not unreasonable. Complaint dismissed.

*Wilson & Co. v. Director General*, 107 I. C. C. 580.

439. Upon further hearing the rates found reasonable in previous reports herein found to include absorption of switching charges of the delivering terminal lines at Chicago, Ill., and South Omaha, Nebr.

*Wichita Motors Co. v. A. & V. Ry. Co.*, 107 I. C. C. 585.

440. Orders accompanying former reports, 88 I. C. C. 152, and 93 I. C. C. 635, prescribing rates on self-propelling freight vehicles, in carloads, from Wichita Falls, Tex., and Oklahoma City, Okla., to Galveston, Tex., and New Orleans, La., for export, vacated in so far as rates from Oklahoma City are concerned.

*Chicago Carton Co. v. C., B. & Q. R. R. Co.*, 107 I. C. C. 586.

441. Rate charged on two cars of paper boxes, knocked down flat, shipped from Chicago, Ill., to Dallas, Tex., during 1922, found unreasonable. Reparation awarded.

*Wasmuth-Endicott Co. v. C., R. I. & P. Ry. Co.*, 107 I. C. C. 588.

442. Failure of defendants to apply a so-called two-for-one minimum-weight rule to shipments of kitchen cabinets, in carloads, from Wabash Railway stations in Indiana in Group C territory to transcontinental destinations, while applying such a rule to shipments from points in Group D, found unduly prejudicial. Undue prejudice ordered removed.

*Ariz. Hay Traffic Asso. v. A. E. R. R. Co.*, 107 I. C. C. 591.

443. Rates on baled hay, in carloads, from Arizona points to El Paso, Tex., and from the Yuma group in Arizona to Los Angeles, Calif., and points taking the same rates found not unreasonable or otherwise unlawful.

444. Rates on the same commodity from the Thatcher, Phoenix, and Yuma groups in Arizona to points in New Mexico, Clifton, Ariz., Fort Bliss, Tex., Texas common points, Kansas City and St. Louis, Mo., and Mississippi River crossings, Memphis, Tenn., and south thereof; from Alhambra, Glendale, and Peoria, Ariz., to the same points east of New Mexico, and to El Paso, Tex.; and from the Thatcher and Phoenix groups to Los Angeles, Calif., found unreasonable. Reasonable rates or bases of rates prescribed.

445. Rates on the same commodity from the Thatcher, Phoenix, and Yuma groups to Mississippi River crossings, Memphis and south thereof, found unduly preferential of El Paso. Nonprejudicial basis of rates prescribed.

*Hamm Brewing Co. v. Director General*, 107 I. C. C. 600.

446. Rate charged on one carload of empty returned beverage packages from Little Rock, Ark., to St. Paul, Minn., found not unreasonable. Complaint dismissed.

*Armour & Co. v. Director General*, 107 I. C. C. 604.

447. Rates charged on seven carloads of fresh meat from South St. Joseph, Mo., and Kansas City, Kans., to Camp Wadsworth, S. C., found applicable. Complaint dismissed.

*Eagle Coal & Mining Co. v. C. & E. I. Ry. Co.*, 107 I. C. C. 607.

448. Charges applicable on seven carloads of bituminous coal shipped from Clinton to South Bend, Ind., and reconsigned to Chicago, Ill., found not unreasonable or otherwise unlawful. Refund of overcharges directed and complaint dismissed.

*Lynchburg Chamber of Commerce v. R. Co.*, 107 I. C. C. 610.

449. Rates on nails, washers, nuts, and bolts, in less than carloads, from Birdsboro, Coatesville, Lebanon, and Pottstown, Pa., to Lynchburg, Va., found neither unreasonable nor unduly prejudicial. Reparation denied. Complaint dismissed.

*S. C. Produce Asso. v. A. & R. R. R. Co.*, 107 I. C. C. 613.

450. Rates on fresh and green vegetables, in carloads, from producing districts in South Carolina to destinations principally in New England, eastern trunk-line, and central territories found not unreasonable except as indicated in the previous report, 96 I. C. C. 107. Reparation awarded.

451. Fourth-section relief denied.

*Knøxville Iron Co. v. L. & N. R. R. Co.*, 107 I. C. C. 627.

452. Rates on bar iron, including angle and channel bar, in carloads, from Nashville, Tenn., to destinations on the Louisville & Nashville Railroad in Kentucky and Tennessee, and to Ohio and Mississippi River crossings, and points in central territory, found not unreasonable, unjustly discriminatory, or unduly prejudicial. Fourth-section relief denied.



453. Rates on bar iron, in carloads, from Knoxville to stations on the Ohio & Kentucky Railway found unreasonable. Reparation awarded.

*Amalgamated Sugar Co. v. U. P. R. R. Co.*, 107 I. C. C. 635.

454. Rate on slack coal from Superior and Lion, Wyo., to Sugarton, Utah, and from Lion to Cornish, Utah, found unreasonable. Reparation awarded.

*Swiftsure Petroleum Co. v. M. P. R. R. Co.*, 107 I. C. C. 637.

455. Complaint, which alleges that a rate of 15.5 cents per 100 pounds, applicable on crude petroleum from points in Arkansas to Texas City, Tex., for export, was unreasonable and unduly prejudicial, dismissed.

*Williamson Chamber of Commerce v. A., C. & Y. Ry. Co.*, 107 I. C. C. 639.

456. Class rates and commodity rates bearing a direct relation thereto from points in central and border territories to Williamson, W. Va., found unreasonable. Reasonable basis of rates prescribed for the future.

457. Rates on iron and steel articles, in carloads and less than carloads, from Pittsburgh and Woodlawn, Pa., to Williamson, W. Va., found unreasonable. Reasonable rates prescribed for the future on such articles, in carloads, and reparation awarded.

*Saxony Mills v. M. P. R. R. Co.*, 107 I. C. C. 649.

458. Claim for reparation, barred prior to the June 7, 1924, amendment to paragraph (3) of section 16 of the interstate commerce act, not revived by said amendment. Complaint dismissed.

*Murphy v. A. C. L. R. R. Co.*, 107 I. C. C. 651.

459. Rate on grapefruit, in carloads, from Bowling Green, Fla., to Wausau, Wis., found unreasonable. Reparation awarded.

*Milne Lumber Co. v. C. & N. W. Ry. Co.*, 107 I. C. C. 653.

460. Demurrage charges on certain carloads of yellow-pine lumber at Chicago, Ill., and Detroit, Mich., found to have been illegally assessed to the extent indicated. Reparation awarded.

*Thoeming & Co. v. M., S. P. & S. S. M. Ry. Co.*, 107 I. C. C. 658.

461. Car of potatoes shipped from Almora, Minn., to Tinley Park, Ill., found not to have been misrouted.

462. Rate on potatoes, in carloads, from Almora, Minn., to Tinley Park, Ill., via Chicago, Ill., found not unreasonable. Complaint dismissed.

*Universal Paper Bag Co. v. M. C. R. R. Co.*, 107 I. C. C. 661.

463. Rates on wrapping paper, in carloads, from Madison, Me., to New Hope, Pa., found unreasonable and reparation awarded. To that extent former report, 88 I. C. C. 593, reversed upon further hearing.

*Class Rates to Twin Cities*, 107 I. C. C. 665.

464. Proposed restriction of class rates from points in Indiana to Minneapolis, St. Paul, and Duluth, Minn., so as to eliminate cross-lake routes found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Borroum & Tucker v. M. V. R. R. Co.*, 107 I. C. C. 668.

465. Rates charged on stocker cattle, in carloads, from Alfred, Tex., to Foraker, Okla., found inapplicable. Applicable rates found not unreasonable. Refund of overcharges directed, and complaint dismissed.

*Red River Lumber Co. v. Director General*, 107 I. C. C. 671.

466. Rate charged on a carload of lumber shipped from Westwood, Calif., to Pensacola, Fla., during Federal control found to have been inapplicable. Reparation awarded.

*N. E. Miss. Traffic Bureau v. N. O., T. & M. Ry. Co.*, 107 I. C. C. 673.

467. Rates on cabbage, in carloads, from San Benito and Donna, Tex., to Columbus, Miss., since March 23, 1924, found unduly prejudicial, but not unreasonable or unjustly discriminatory. Undue prejudice ordered removed and reparation denied.

*Carnegie Steel Co. v. P. R. R. Co.*, 107 I. C. C. 676.

468. Rates on bituminous coal, in carloads, from Folks and Narva, Ohio, to Munhall, Pa., found to have been unreasonable to the extent that they exceeded subsequently established rates based on a differential of 30 cents per ton over the rates to Pittsburgh, Pa. Reparation awarded and rates on the prescribed basis required for the future.

469. Rates on the same commodity from points in Kentucky, Virginia, and West Virginia to Clairton, Pa., found not unreasonable. Former report, 100 I. C. C. 353.

*Southwestern brick cases*, 107 I. C. C. 681.

470. Interstate rates on brick and other clay products, in carloads, from points in Texas, Arkansas, Oklahoma, and Kansas to points in those States and in Louisiana and to Memphis, Tenn., and from Texas, Arkansas, and Oklahoma to points in southern Missouri found unreasonable and unduly prejudicial. Reparation denied.

471. Intrastate rates on the same commodities, except common brick, in Texas, Arkansas, Oklahoma, Kansas, and southern Missouri found unduly prejudicial and unjustly discriminatory against interstate commerce.

472. Reasonable basis of interstate rates prescribed.

*Mason City Brick & Tile Co. v. Director General*, 107 I. C. C. 702.

473. Interstate rates on brick and related articles taking the same rates, in carloads, from specified points in Iowa to destinations in Iowa, Nebraska, South Dakota, and Minnesota, found unreasonable and unduly prejudicial. Basis of reasonable maximum rates and nonprejudicial relationships of rates prescribed for the future.

474. Interstate rates on drain tile, in carloads, from Rockford, Sheffield, and Hampton, Iowa, to the same destinations found unreasonable and basis of reasonable rates prescribed.

475. Reparation denied. Former reports, 77 I. C. C. 22, and 77 I. C. C. 4.

*Construction and repair of railway equipment*, 107 I. C. C. 721.

Upon investigation, found:

476. That the cost of repairs to steam locomotives of the respondent, New York, New Haven & Hartford Railroad system, at outside shops during 1922, 1923, and 1924 greatly exceeded the cost of substantially similar work in respondent's shops.

477. That the greater portion of such excess cost was an unreasonable expenditure for maintenance of equipment and not in the interest of efficient and economical management and reasonable expenditures for maintenance of way, structures, and equipment as required by section 15a of the act.

*Carriers' reports to commission*, 107 I. C. C. 741.

478. Statement to the United States Senate showing number and nature of carriers' reports to this commission and to State commissions, expense to carriers of their preparation, and what reports to this commission can be dispensed with.

*Liberty Cooperaage & Lumber Co. v. M. C. R. R. Co.*, 109 I. C. C. 1.

479. Rate on lumber, in carloads, from Nashville, Mich., to Toledo, Ohio, found not unreasonable but unduly prejudicial. Undue prejudice ordered removed.

*Ice from Illinois and Wisconsin*, 109 I. C. C. 3.

480. Increases in through charges which would result from proposed cancellation of absorption of switching charges on interstate shipments of ice, in carloads, from points in Illinois and Wisconsin to deliveries on lines of respondents' connections in the Chicago, Ill., district, found justified in part. Suspended schedules ordered canceled without prejudice to the filing of other schedules in conformity with the finding herein.

*Brick and Related Articles*, 109 I. C. C. 10.

481. Proposed increased rates on brick and related articles from Sligo, St. Charles, Climax, and New Bethlehem, Pa., to points in Buffalo and Rochester, N. Y., territory found justified except as to rates from New Bethlehem. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings in the report.

*Railway Mail Pay*, 109 I. C. C. 13.

482. Rates of pay for transportation of mail matter on and after the dates applications for reexamination were filed found not fair and reasonable. Fair and reasonable rates established as of said dates.

*State of New York v. American Ry. Express Co.*, 109 I. C. C. 20.

483. Upon complaint that express distance rates on cream in 10-gallon cans in less-than-carload shipments from Essex, N. Y., to Fair Haven, Vt., and Springfield, Mass., are unreasonable: Held that the allegations are not sustained as to rates in the past, but for the future such rates will be unreasonable to the extent they may exceed 55 cents and 87 cents, respectively, per 10-gallon can.

484. Request that baggage-car service and rates be prescribed denied. Complaints dismissed.

*Vincennes Refining Co. v. C. & E. I. R. R. Co.*, 109 I. C. C. 25.

485. Shipments of sulphuric acid, in tank-car loads, moving over an interstate route from Grasselli, Ind., to Vincennes, Ind., found to have been overcharged. Reparation awarded.

*Grain and Grain Products to Colorado and Utah*, 109 I. C. C. 27.

486. Proposed increased class and commodity rates between certain Iowa and South Dakota points and points in Colorado and Utah found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Memphis Freight Bureau v. A. C. L. R. R. Co.*, 109 I. C. C. 31.

487. Rates on linoleum, oilcloth, and paper-felt carpeting, in carloads, from Philadelphia, Pa., and other eastern points to Memphis, Tenn., found not unreasonable or otherwise unlawful. Complaints dismissed.

*Hay to Mississippi Points*, 109 I. C. C. 36.

488. Proposed increased rates on hay, in carloads, from St. Louis, Mo., and East St. Louis, Ill., to certain destinations on the Mobile & Ohio Railroad in Mississippi south of Tupelo, Miss., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Lynchburg Chamber of Commerce v. G. & F. Ry.*, 109 I. C. C. 39.

489. Rates on black sheet steel, in carloads and less than carloads, from Lynchburg, Va., to Nashville, Ga., found not unreasonable. Complaint dismissed. Fourth-section relief granted.

*El Paso Bitulithic Co. v. E. P. & S. W. R. R. Co.*, 109 I. C. C. 42.

490. Upon further hearing, finding of division 3 in 85 I. C. C. 425, that rates on asphalt, in barrels, in carloads, from Richmond and El Segundo, Calif., to El Paso, Tex., were unreasonable, and awarding reparation, reversed as to Richmond and affirmed as to El Segundo.

*Swift & Co. v. G. T. Ry. Co.*, 109 I. C. C. 45.

491. Finding in former report, 98 I. C. C. 649, that the charges on sheep and lambs, in double-deck cars, from Montreal, Canada, to New York, N. Y., and Somerville, Mass., were not unreasonable, affirmed.

*Columbia Steel Co. v. B. & O. R. R. Co.*, 109 I. C. C. 46.

492. Fifth-class rates charged on iron and steel articles, in carloads, from Pittsburgh, Pa., Buffalo, N. Y., and Wheeling, W. Va., groups to Cleveland, Elyria, and Lorain, Ohio, found unreasonable. Reparation awarded. Present rates found not unreasonable for the future, except from Buffalo, and a reasonable rate prescribed for application therefrom.

*Ceramic Traffic Asso. v. M. C. R. R. Co.*, 109 I. C. C. 51.

493. Upon further hearing, reparation awarded on carload shipments of crude feldspar from points in Maine, New Hampshire, and Connecticut to Trenton, N. J. Original report, 91 I. C. C. 675.

*Raleigh Chamber of Commerce v. N. S. R. R. Co.*, 109 I. C. C. 52.

494. Rate charged on certain shipments of sand, in carloads, from Petersburg, Va., to Bunyan, N. C., found unreasonable. Reparation awarded.

495. Complaint as to certain other shipments of sand from and to the same points dismissed for lack of prosecution.



*Dering Coal Co. v. C., C. & St. L. Ry. Co.*, 109 I. C. C. 55.

496. Upon further argument, the findings of division 5 in 96 I. C. C. 143, to the effect that complainant had complied with the provisions of section 1, paragraph (9), of the interstate commerce act, and is entitled to an order directing the defendant to construct and maintain a switch connection between its line and complainant's track, affirmed.

*Citrus Soap Co. v. B. & O. R. R. Co.*, 109 I. C. C. 63.

497. Rate charged on washing powder, in carloads, from San Diego, Calif., to Cleveland, Ohio, found not unreasonable and complainant not shown to have been damaged by any undue prejudice which may have existed. Complaint dismissed.

*Automatic train-control devices*, 109 I. C. C. 66.

498. Requirement in reports upon the installations of automatic train-control or speed-control devices upon the Oregon-Washington Railroad & Navigation lines, 101 I. C. C. 487, and upon the Norfolk & Western Railway, 107 I. C. C. 65, that provision should be made to require acknowledgment by the engineers of succeeding stop signals, eliminated.

*Coal tar and pitch from Birmingham*, 109 I. C. C. 73.

499. Proposed cancellation of certain commodity rates on coal tar and pitch, in carloads, from Birmingham, Ala., and from points grouped therein, to points in North Carolina and South Carolina, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Pressed Steel Car Co. v. Director General*, 109 I. C. C. 75.

500. Former finding that rates to and from points of unloading and loading at complainant's plants at McKee's Rocks and Allegheny, Pa., were not unreasonable, and that no damage had been shown from any undue prejudice which may have existed, affirmed on reargument. Former report, 93 I. C. C. 224.

*Breckenridge Chamber of Commerce v. W. F., R. & F. W. R. R. Co.*, 109 I. C. C. 81.

501. Complaint asking for the establishment of a switch connection between the Cisco & Northeastern Railway and the Wichita Falls, Ranger & Fort Worth Railroad at Breckenridge, Tex., dismissed.

*Harmon v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 90.

502. Rate on cabbage, in carloads, from Kent and O'Brien, Wash., and Troutdale, Ore., to Denver, Colo., Wichita and Wellington, Kans., Oklahoma City, Okla., Kansas City, Mo., and Peoria and Herrin, Ill., found unreasonable. Reparation awarded.

*Altus Cotton Oil Mill v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 92.

503. Following *Oklahoma Corporation Commission v. A. & S. Ry. Co.*, 98 I. C. C. 183, rates on cottonseed, in carloads, between points in Oklahoma and Texas found unreasonable. Reparation awarded.

*Butter and Lard Tubs, Fresh Meats, and Packing House Products*, 109 I. C. C. 95.

504. Proposed increased and reduced rates on fresh meats and packing-house products, in carloads, from points in western trunk-line territory to points in Arkansas, western Louisiana, and southern Missouri reflecting changes in relationships as among origin points, found justified in so far as they effect changes from all points except Mason City, Iowa. Suspended schedules, in so far as they effect changes from Mason City, Iowa, ordered canceled without prejudice to the filing of other schedules in conformity with the findings herein.

*Copperweld Steel Co. v. B. & O. R. R. Co.*, 109 I. C. C. 99.

505. Rates on copper-clad steel scrap, in carloads, from Swissvale and Rankin, Pa., to Norfolk and West Norfolk, Va., found unreasonable. Reasonable rate from Rankin prescribed for the future. Reparation awarded.

*Berninghaus Co. v. C. & N. W. Ry. Co.*, 109 I. C. C. 104.

506. Rates charged on shipments of barber-chair parts, in carloads, from North Chicago, Ill., to Cincinnati, Ohio, found inapplicable. Applicable rating and rates found not unreasonable. Complaint dismissed.

*Brown & Co. v. E. R. R. Co.*, 109 I. C. C. 109.

507. Charges assessed on hay, in carloads, inspected at Cincinnati, Ohio, and reforwarded to interstate destinations found applicable and not unreasonable. Complaint dismissed.

*Galveston Commercial Asso. v. A. & S. Ry. Co.*, 109 I. C. C. 114.

508. Rates on cottonseed and vegetable cake and meal, in carloads, from points in Texas to Galveston, Tex., for export, found not unduly prejudicial. Complaint dismissed.

*Minnesota Western R. R. Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 127.

509 Divisions accorded complainant out of interstate joint rates participated in by defendants found unreasonable and inequitable. Reasonable and equitable divisions prescribed for the future.

*Western Paper Makers' Chemical Co. v. A. A. R. R. Co.*, 109 I. C. C. 133.

510. Carload and less-than-carload rates and minimum carload weight applicable on returned empty iron or steel drums from points in official territory to Ivorydale (Cincinnati), Ohio, Port Ivory, Staten Island, N. Y., Lawrenceburg, Ind., and Kalamazoo, Mich., found not unreasonable or otherwise unlawful. Complaints dismissed.

*Lumber from Pacific Coast points*, 109 I. C. C. 140.

511. Proposed rates on lumber, in carloads, from western producing points to Ripley and Manchester, Ohio, found not justified. Suspended schedules ordered canceled.

512. Nonprejudicial rates prescribed from groups of origin in the Northwest to Ripley and Manchester.

*Classification of Hand Pea Hullers*, 109 I. C. C. 143.

513. Proposed increased ratings on hand pea hullers in southern, western, and official classifications found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our conclusions herein.

*Automatic train-control devices*, 109 I. C. C. 147.

514. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

515. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Humphreys v. Director General*, 109 I. C. C. 157.

516. Carload rate on manganese ore from Philipsburg, Mont., to Portland, Oreg., found unreasonable and reparation awarded.

517. Informal filing of claim by copartnership, of which complainant was a member, found to stay the statute of limitations in favor of complainant, who operated the business alone, under another trade name, immediately prior to the partnership.

518. Assignments of the claim for reparation relied on by complainant found not void under section 3477 of the Revised Statutes of the United States. For reasons stated, one of the assignees found to be the real party in interest independently of the assignment.

*Brick and clay products in the South*, 109 I. C. C. 161.

519. Upon further hearing, order in *Brick and Clay Products in the South*, 88 I. C. C. 543, vacated in so far as it requires establishment of scales therein prescribed from Johnson City, Kingsport, and Chattanooga, Tenn., to points on the Norfolk & Western Railway south of the Ohio River.

*Pacific Coast Shippers Asso. v. Director General*, 109 I. C. C. 166.

520. Combination rates assessed on lumber and other forest products, in carloads, shipped between June 25, 1918, and February 29, 1920, from points in Washington and Oregon to destinations throughout the United States found applicable or inapplicable according as they were or were not assessed by use of the so-called combination rule as indicated herein. Reparation awarded to some complainants and denied to others.

*American Splint Corp. v. C. P. Ry.*, 109 I. C. C. 170.

521. Claim for refund of overcharges on 23 carloads of logs from Mascouche, Quebec, to Aspen, N. J., found barred because complaint not filed within two years from the date cause of action accrued. Complaint dismissed.

*Gentile Co. v. American Ry. Express Co.*, 109 I. C. C. 171.

522. Claim for reparation on a carload of cantaloupes by express from Turlock, Calif., to Philadelphia, Pa., barred because not filed within two years from the date of accrual of the cause of action. Present rate found not unreasonable or otherwise unlawful. Complaint dismissed.

*South River Lumber Co. v. N. & W. Ry. Co.*, 109 I. C. C. 173.

523. Rates charged on lumber, in carloads, from Cornwall, Va., to destinations in Pennsylvania and to Boston, Mass., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Crystal Springs Mfg. Co. v. I. C. R. R. Co.*, 109 I. C. C. 177.

524. Charges collected on wooden or veneer berry or vegetable boxes and box material, in mixed carloads, from Crystal Springs, Miss., to Walker, Doyle, and Denham Springs, La., found to have been unreasonable. Collection of certain undercharges authorized to be waived, and reparation awarded.

*Chevrolet Motor Co. v. B. & O. R. R. Co.*, 109 I. C. C. 184.

525. Fifth-class rating in the official classification and fifth-class rates thereunder found to have been applicable on automobile bow sockets, in carloads, prior to June 10, 1923, and refund of overcharges directed. Fourth-class rating and rates assessed thereunder on and after that date found unreasonable. Reasonable rating prescribed. No reparation awarded because of lack of evidence as to parties injured.

*Bloomington Asso. of Commerce v. C., R. I. & P. Ry. Co.*, 109 I. C. C. 191.

526. Shipment of bulk corn from Spirit Lake, Iowa, reconsigned from Bloomington, Ill, to Black Rock (Buffalo), N. Y., found to have been misrouted. Reparation awarded.

*Russell v. N. Y. C. R. R. Co.*, 109 I. C. C. 193.

527. Charges on a carload of coal shipped from Boonville, Ind, to Elkhart, Ind., and reconsigned to South Bend, Ind., found not unreasonable. Complaint dismissed.

*Lake Charles Rice Milling Co. v. L. W. R. R. Co.*, 109 I. C. C. 195.

528. Rates on rough rice, in carloads, from points in Louisiana to Lake Charles, La., reshipped as clean rice and rice products, to various interstate destinations between May 20, 1921, and August 5, 1922, found not unreasonable or unjustly discriminatory. No damage shown on account of undue prejudice. Complaint dismissed.

*Automatic train-control devices*, 109 I. C. C. 199.

529. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

530. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Parkersburg Rig & Reel Co. v. B. & O. R. R. Co.*, 109 I. C. C. 209.

531. Rates on iron and steel articles in carloads from Girard, New Philadelphia, Youngstown, and Newton Falls, Ohio, to Parkersburg, W. Va., found unjust and unreasonable and in violation of the aggregate-of-intermediates clause of the fourth section. Reparation awarded.

*Bananas from Gulf ports*, 109 I. C. C. 211.

532. Proposed revision of rates on bananas from Gulf ports to southeastern and Carolina territory found justified, except as to increased carload rates.

533. Proposed increased rates on bananas, in carloads, from Gulf ports to southeastern and Carolina territory found not justified and suspended schedules required to be canceled without prejudice to the filing of new schedules in conformity with the findings in the report.

534. Fourth-section applications denied, but fourth-section relief accorded in certain instances.



*Butters Lumber Co. v. A. C. L. R. R. Co.*, 109 I. C. C. 224.

535. Amount of reparation due complainants under decisions in 48 I. C. C. 475, and 55 I. C. C. 595, determined.

*Southern Agri. Chem. Corp. v. C., C., & St. L. Ry. Co.*, 109 I. C. C. 227.

536. Rates on sulphuric acid, in tank-car loads, from Evansville, Ind., and Louisville, Ky., to Lawrenceville, Ill., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.

*Gulf States Portland Cement Co. v. N. & W. Ry. Co.*, 109 I. C. C. 231.

537. Rates on gypsum rock, in carloads, from Plasterco and Saltville, Va., to Spocari, Ala., found to have been unreasonable. Present rate found not unreasonable or unduly prejudicial. Reparation awarded.

*Parkersburg Rig & Reel Co. v. St. L.-S. F. Ry. Co.*, 109 I. C. C. 235.

538. Interstate rate and reconsignment charge collected for the transportation from Tulsa, Okla., to Okmulgee, Okla., of one carload of fabricated iron and steel tank material, knocked down, originating at Parkersburg, W. Va., found applicable. Complaint dismissed.

*Otis Steel Co. v. C. V. Ry. Co.*, 109 I. C. C. 238.

539. The Cuyahoga Valley Railway Company found to be a common carrier of property subject to the interstate commerce act, which may lawfully participate in joint rates with other common carriers, or have its switching charges on interstate shipments absorbed under proper tariff provision by the carriers performing the line haul. Its compensation must not be more than is reasonable and a complete and specific statement of any basis agreed upon must be filed with us immediately upon its adoption.

*Adams & Kelly Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 241.

540. Rates charged for the transportation of lumber, in carloads, from points in Washington, Oregon, Idaho, Montana, and British Columbia to Lincoln and Omaha, Nebr., and other points in Nebraska, Kansas, Missouri, Iowa, and South Dakota during the period July 1 to September 11, 1922, found not unreasonable. Complaints dismissed.

*N. E. Miss. Traffic Bureau v. M. & O. R. R. Co.*, 109 I. C. C. 246.

541. Rate on overalls, in less than carloads, from Middlesboro, Ky., to Tupelo, Miss., not found unreasonable. There is no proof of damage because of any undue prejudice that may have existed. Complaint dismissed.

542. Fourth-section relief denied.

*Calumet Baking Powder Co. v. A. & N. R. R. Co.*, 109 I. C. C. 249.

543. Complaint against the rates charged on three cars containing less-than-carload shipments from Chicago, Ill., to destinations in the Southwest found barred by the statute of limitations. Complaint dismissed.

*Ladd Lime & Stone Co. v. L. & N. R. R. Co.*, 109 I. C. C. 251.

544. Rate of \$2.63 per net ton found applicable on four carloads of ground limestone, shipped in May and July, 1924, from Ladds, Ga., to Henry, Tenn. Collection of undercharges directed and complaint dismissed.

*Haviland v. A. N. R. R. Co.*, 109 I. C. C. 253.

545. Refusal of the Apalachicola Northern Railroad to accept two carloads of lumber at Hosford, Fla., for transportation to Jersey City, N. J., found unlawful. Reparation awarded.

*Valley Paving & Construction Co. v. E. R. R. Co.*, 109 I. C. C. 255.

546. Rate on one road wheel crane from Huntington, Ind., to Merced, Calif., found to have been unreasonable, and reparation awarded.

*Lone Star Gas Co. v. C., R. I. & G. Ry. Co.*, 109 I. C. C. 258.

547. Rates charged on a carload of rig irons and nails from Ranger, Tex., to Comanche, Okla., found unreasonable. Reasonable rate for the future prescribed and reparation awarded.

*Decker & Sons v. C., R. I. & P. Ry. Co.*, 109 I. C. C. 261.

548. Rates on fresh meats and packing-house products, in straight and mixed carloads, from Sioux Falls, S. Dak., and Mason City, Waterloo, Cedar Rapids,

Des Moines, and Ottumwa, Iowa, to destinations in Oklahoma and Texas, found unreasonable. Reasonable rates prescribed, and reparation awarded.

*Iowa Railroad Commissioners v. C. R. R. Co. of N. J.*, 109 I. C. C. 273.

549. Rates on anthracite coal, in carloads, from mines in producing fields of Pennsylvania to points in Iowa found unreasonable.

550. Proposed restriction of the proportional rates on anthracite coal, in carloads, from the Niagara frontier to East Burlington, Ill., via the New York, Chicago & St. Louis and its western connections, so as not to apply on traffic destined to Burlington, Iowa, found justified. Proceeding discontinued.

*St. Joseph Viscosity Oil Co. v. M. P. R. R. Co.*, 109 I. C. C. 286.

551. Rate on crude petroleum, in tank-car loads, from Sallyards, Kans., to St. Joseph, Mo., found to have been unreasonable. Reparation awarded.

*Continental Oil Co. v. Director General*, 109 I. C. C. 289.

552. Joint rates on petroleum products, in carloads, from Casper, Wyo., to Buffalo, Wyo., during Federal control found applicable but unreasonable. Reparation awarded.

553. Shipments of petroleum products, in carloads, from and to various points in Wyoming, Idaho, Utah, Colorado, and Montana found overcharged where rates were assessed in excess of the sum of the applicable local rates increased according to the combination rules provided in the tariffs. Reparation awarded.

*Calif. Cotton & Factorage Co. v. Director General*, 109 I. C. C. 293.

554. Rates charged on cotton, in bales, in carloads, from Blythe, Calif., to Oakland, Calif., and eastern points during Federal control, exclusive of the period from February 15 to September 9, 1919, found inapplicable. Reparation awarded.

*Rickards v. P. R. R. Co.*, 109 I. C. C. 297.

555. Rates on logs, in carloads, from Coopers Point, Camden, N. J., to Victor Talking Machine Co.'s siding, Camden, N. J., found unreasonable. Reasonable rates prescribed. Reparation awarded.

*Southern class rate investigation*, 109 I. C. C. 300.

Upon reconsideration of the findings in the original report, 100 I. C. C. 513. following the filing by interested parties of statements with respect to those findings; *Found*:

556. That finding 11, at page 646 of the original report, should be modified by substituting a finding to the effect that maximum interstate class rates on standard lines between points in southern territory and over routes lying wholly within that territory, except between points in Virginia and points in North Carolina, and except to and from points in the Florida peninsula, are, and for the future will be, rates determined by the scale shown in Appendix K-1 herein, such scale being slightly higher than the scale set forth in Appendix K of the original report for distances up to 35 miles, somewhat lower for distances from 45 to 340 miles, inclusive, and for other distances the same.

557. That finding 12, at page 646 of the original report, should be modified by substituting a finding to the effect that maximum reasonable interstate class rates on standard lines between points in the Florida peninsula south of the lines of the Seaboard Air Line from Jacksonville to River Junction, on the one hand, and other points in southern territory, on the other, are, and for the future will be, rates determined by the distance scale shown in Appendix K-1 herein plus arbitraries determined by the scale shown in Appendix L-1 herein for that part of the distance lying south of the aforesaid line of the Seaboard Air Line, such arbitraries being in general somewhat higher than those set forth in Appendix L of the original report.

558. That finding 13, at pages 653-654 of the original report, should be modified by including as a weak line requiring special-rate treatment, the Norfolk Southern, and providing for the addition of the Appendix L-1 arbitraries for hauls over its lines in determining maximum reasonable interstate class rates.

559. That finding 14, at page 656 of the original report, should be modified by substituting a finding to the effect that in applying scales of distance rates and arbitraries distances should be computed over the shortest workable routes,

these to be construed to mean the shortest routes that are, irrespective of existing traffic arrangements, physically adapted to the movement of traffic without plain and serious sacrifice of economy and efficiency.

560. That the entire interterritorial class-rate adjustment should be held for such further consideration of all the issues relating thereto as may seem appropriate, after further hearings, following our decision in No. 15879, *Eastern Class Rate Investigation*, now pending.

561. In the meantime that finding 17, at pages 702-704 of the original report, should be modified by substituting a finding to the effect that maximum reasonable interstate class rates between official and southern territories are, and for the future will be, rates governed by southern classification and based upon key rates shown in Appendix O-1 herein (the southern groups used in the construction of such key rates being shown in Appendix N-1 herein), or, where no key rates are shown, through rates subject to the southern classification published as single amounts but constructed by combining the local class rates prescribed herein, or corresponding class-rate factors, for the portion of the haul in southern territory with differential class rates shown in Appendix Q herein for the portion of the haul in official territory; and to the effect also that the class rates for application between points in central territory and points in North or South Carolina for the future will be unduly prejudicial to said points in North or South Carolina to the extent that they exceed rates made by combining the local class rate, applicable within official territory to the traffic in question to or from Virginia cities, with proportional or basing rates between such cities and points in North and South Carolina now published in tariff I. C. C. 616 issued by J. J. Cottrell, agent.

562. That finding 18, at page 706 of the original report, should be modified by substituting a finding to the effect that the maximum reasonable interstate class rates for application over standard lines between points in eastern Kentucky on the Chesapeake & Ohio, also Portsmouth and Ironton, Ohio, Ashland, Ky., and Kenova and Huntington, W. Va., on the one hand, and points in southern territory, on the other, (1) over routes lying wholly south of the Ohio River other than routes via Virginia city gateways and (2) over routes crossing the Ohio River at Kenova, W. Va., and thence over routes described in (1), are, and for the future will be, rates determined by the distance scale in Appendix K-1 herein, Portsmouth, Ironton, Ashland, Kenova, and Huntington to be included within a single group, and distances figured in all cases from Kenova.

563. That finding 19, at page 707 of the original report, should be modified by substituting a finding omitting hay, straw, and shucks from the commodities that are to be excepted for the present from the application of the class rates prescribed between official and southern territories and from Ohio and Mississippi River crossings to points in southern territory.

564. That all other findings in the original report shall remain unmodified, in full force and effect.

565. That the order entered in connection with the original report modifying certain outstanding orders of the commission to the extent necessary to permit the carriers to make effective the rates prescribed, should be modified in certain minor particulars.

*Keokuk Shippers' Asso. v. B. & O. R. R. Co.*, 109 I. C. C. 346.

566. Reasonable relationship of rates on molding sand from Ottawa and Utica, Ill., to Keokuk, Iowa, Burlington, Iowa, and other Mississippi River crossings prescribed.

*Brass, bronze, and copper ingots, pig, and scrap, and related articles*, 109 I. C. C. 351.

567. Proposed increased rates on brass, bronze, and copper articles between points in official classification territory found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with findings herein.

*Wichita Chamber of Commerce v. A. & V. Ry. Co.*, 109 I. C. C. 368.

568. Rates on vegetables, in carloads, from Jacksonville, Fla., to Wichita, Kans., found to have been and to be unduly prejudicial and, except on cabbage and potatoes, unreasonable. Reasonable and nonprejudicial rates prescribed for the future, and reparation awarded.

569. Fourth-section relief denied.



*Curtis v. Director General*, 109 I. C. C. 378.

570. Allegations that freight charges on coal, in carloads, shipped from Superior and Carbon, Ind., to Muncie, Ind., during Federal control were assessed on erroneous weights, found not sustained. Complaint dismissed.

*Dixon Crucible Co. v. D. & H. Co.*, 109 I. C. C. 380.

571. Rates on carload shipments of plumbago and graphite from New York Harbor, N. Y., to Delano Junction, N. Y., destined to Ticonderoga, N. Y., over an interstate route, found unreasonable. Reparation awarded and reasonable rate prescribed for the future.

*American Sumatra Tobacco Co. v. N. Y., N. H. & H. R. R. Co.*, 109 I. C. C. 383.

572. Rate charged on a carload of manure from Harlem River, N. Y., to North Hatfield, Mass., found unreasonable. Reparation awarded.

*Elliott Fuel Co. v. M., St. P. & S. S. M. Ry. Co.*, 109 I. C. C. 385.

573. Rate factor applicable from Suspension Bridge, N. Y., to Minneapolis, Minn., on anthracite coal shipped from mines in Pennsylvania found unreasonable. Waiver of undercharges authorized and complaint dismissed.

*Hines Yellow Pine Trustees v. C., S. & M. R. R. Co.*, 109 I. C. C. 387.

574. Rates on carload shipments of yellow-pine piling from Lumberton and Ansley, Miss., to Bamfield, Mich., found unreasonable. Reparation awarded.

*Hulsey-Bessent Co. v. S. A. L. Ry. Co.*, 109 I. C. C. 389.

575. Rate on fresh vegetables from Denver, Colo., to Jacksonville, Fla., found unreasonable to the extent that it exceeded, and exceeds, the aggregate of intermediates contemporaneously in effect. Reparation awarded.

*Bliss Syrup Refining Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 391.

576. Rates on sirup and molasses, in straight carloads, and on sirup, molasses, and preserves, in mixed carloads, from Kansas City, Mo., to destinations in Kansas found not unreasonable or otherwise unlawful. Prescription of mixed-carload rule, as sought, not warranted upon this record. Complaint dismissed.

*Baker & Holmes Co. v. P. R. R. Co.*, 109 I. C. C. 396.

577. Rate on building paper, in carloads, from Downingtown, Pa., to Jacksonville, Fla., by rail and water, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Baker & Co. v. C., M. & St. P. Ry. Co.*, 109 I. C. C. 399.

578. Rate on dining-room furniture from Allegan, Mich., to Los Angeles, Calif., found unreasonable to the extent that it exceeded the rate applicable under the released value. Reparation awarded.

*Elaborated Ready Roofing Co. v. C. & E. I. Ry. Co.*, 109 I. C. C. 401.

579. Rate charged on prepared roofing, in carloads, from Chicago, Ill., to Terre Haute, Ind., found to have been inapplicable. Refund of overcharge directed and complaint dismissed.

*Continental File Corp. v. Director General*, 109 I. C. C. 403.

580. Rate charged on less-than-carload shipment of old files from Macon, Ga., to Anderson, Ind., found applicable.

581. Liability, as between consignor and consignee, for payment of undercharges collected of consignee, found not determinable by the commission. Complaint dismissed.

*Globe Light & Power Co. v. A. E. R. R. Co.*, 109 I. C. C., 405.

582. Rates charged on fuel oil, in carloads, from Burkburnett and Wichita Falls, Tex., and Beckett, Okla., to Globe, Ariz., between August 11 and November 14, 1921, inclusive, found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Gille Mfg. Co. v. K. C. S. Ry. Co.*, 109 I. C. C. 408.

583. Rates on iron, steel, tin, and galvanized cans in carloads, from Kansas City, Mo., to Fort Smith, Ark., Wichita, Kans., and Sioux City, Iowa, found not unreasonable or otherwise unlawful. Complaints dismissed.

*Ballman-Cummings Furniture Co. v. C. & E. I. Ry. Co.*, 109 I. C. C. 413.

584. Rates on excelsior cushions, mats, or pads, in carloads, from Oshkosh and Rice Lake, Wis., to Fort Smith, Ark., found unreasonable. Reasonable rates prescribed, and reparation awarded.

*Proportional Rates on Livestock*, 109 I. C. C. 417.

585. Proposed proportional rates on livestock, in carloads, lower than corresponding local rates, from Chicago, Ill., to destinations in official territory, applicable on traffic from specified stations on the North Western and Milwaukee in South Dakota and stations intermediate thereto in adjoining States, with proposed concurrent cancellation of application of Kelly combination rule, found justified. Proceedings discontinued.

*Darnell Commission Co. v. M. P. R. R. Co.*, 109 I. C. C. 427.

586. Rate on horses and mules, in carloads, from Memphis, Tenn., to Fort Worth, Tex., found unreasonable. Reparation awarded.

*Monon Lumber Co. v. Director General*, 109 I. C. C., 429.

587. Carload of coal shipped from Hazard, Ky., to Monon, Ind., found overcharged. Reparation awarded.

*Taylor Co. v. S. Ry. Co.*, 109 I. C. C. 431.

588. Following *Chesnutt Lumber Co. v. Director General*, 89 I. C. C. 236, assessment of reconsignment charges on eight carloads of leaf tobacco shipped from points in Virginia and North Carolina to Richmond, Va., there delivered to consignee, and subsequently reshipped intact to Norfolk, Va., for export, found unreasonable. Reparation awarded.

*Orford Soap Co. v. B. & M. R. R.*, 109 I. C. C. 434.

589. Rates on crude feldspar, in carloads, from certain points in New Hampshire to Manchester, Conn., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Rates from Eastern Territory to Twin Cities*, 109 I. C. C. 437.

590. Applications for authority to establish, continue, and maintain class and commodity rates from points in New England and eastern trunk-line territories and Canada to the Twin Cities lower than to intermediate points denied.

*Taylor v. N. Y., C. & St. L. R. R. Co.*, 109 I. C. C. 441.

591. Rates on crushed stone, in carloads, from Gary, Ill., to Kankakee and Stillwell, Ind., applicable from May to October, 1923, found unreasonable and in violation of the long-and-short-haul provision of section 4 of the act. Waiver of undercharges authorized. Complaint dismissed.

*Hamm Brewing Co. v. Director General*, 109 I. C. C. 444.

592. Rates on returned empty beverage packages, in carloads, from Little Rock and Fort Smith, Ark., to St. Paul, Minn., not found unreasonable or otherwise unlawful. Complaint dismissed.

*Congoleum-Nairn v. C. & N. W. Ry. Co.*, 109 I. C. C. 447.

593. Carload rating in western classification on linoleum and other floor coverings found unreasonable. Reasonable rating prescribed.

*Haynesville Provision Co. v. L. & N. W. R. R. Co.*, 109 I. C. C. 451.

594. Rate charged on a carload of canned fruit from New Orleans, La., to Haynesville, La., moving interstate, found unreasonable. Reparation awarded.

*Hines Yellow Pine Trustees v. C. & Y. Ry. Co.*, 109 I. C. C. 453.

595. Rates on forest products and naval stores, in carloads, from points in Mississippi on the Mississippi Southern to interstate destination, and on coal, in carloads, from interstate points to points on that line, found not unreasonable or unjustly discriminatory, and complainant found not to have been damaged by the alleged undue prejudice. Complaint dismissed.

*Okla. Traffic Asso. v. A. & R. R. R. Co.*, 109 I. C. C. 457.

596. Rating and rates on new and on junked old worn-out electric automobile armatures, in less than carloads, between Oklahoma City, Okla., and Indianapolis, Ind., and interstate points in the United States, found not unreasonable. Complaint dismissed.

*Chevrolet Motor Co. v. C. & A. R. R. Co.*, 109 I. C. C. 462.

597. Claim for reparation on carload shipments of sheet-metal automobile parts which moved prior to Federal control barred because not filed within two years from date of accrual of cause of action. Complaint dismissed in No. 13923.

598. Applicable charges on carload shipments of sheet-metal automobile parts which moved during Federal control from Detroit, Mich., to Fort Worth, Tex., found unreasonable. Reparation awarded in No. 13923 (Sub-No. 1).

*Rich Steel Products Co. v. S. P. Co.*, 109 I. C. C. 465.

599. Rates on lawn mowers, in carloads, from Los Angeles, Calif., to Battle Creek, Mich., found unreasonable. Reparation awarded.

*Was-Cott Corporation v. K. G. J. & E. R. R. Co.*, 109 I. C. C. 468.

600. Class rates applicable on beverages, in less than carloads, from Tazewell, Va., to points in West Virginia, and on the empty bottles returned to Tazewell found unreasonable. Reasonable rates prescribed.

*Maricopa County Farm Bureau v. A. & S. Ry. Co.*, 109 I. C. C. 472.

601. Stated refrigeration charges on melons, in carloads, from Maricopa County, Ariz., to Texas common points, Denver, Colo., and points east thereof, found not unreasonable but unduly prejudicial. Nonprejudicial basis of charges prescribed.

*Merchants & Planters Oil Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 477.

602. Reparation awarded on shipments of lard substitutes and vegetable cooking oils, in carloads, from Houston, Tex., to points in Arkansas and Louisiana.

*National Commercial Fixture Mfrs. Asso. v. A. A. R. R. Co.*, 109 I. C. C. 479.

603. Official classification ratings on soda-fountain counter interiors, on soda-fountain counters when packed with soda-fountain counter interiors, and on work boards, bar or counter, found unreasonable for less than carloads and not unreasonable for carloads. Reasonable maximum less-than-carload ratings prescribed.

*Bell & Zoller Mining Co. v. I. C. R. R. Co.*, 109 I. C. C. 484.

604. Reparation awarded on shipments of mine timbers, in carloads, from points in Missouri to destinations in Illinois, under the finding in *Palmer v. M. P. R. R. Co.*, 87 I. C. C. 622, to complainants not parties to that proceeding.

*Barr & Dougherty v. G. N. Ry. Co.*, 109 I. C. C. 487.

605. Rate on green salted hides, in carloads, from Moultrie, Ga., to Elsmere Junction, Del., found unreasonable. Reparation awarded.

*Union Metal Mfg. Co. v. A., C. & Y. Ry. Co.*, 109 I. C. C. 490.

606. Ratings on metal columns, in carloads and in less than carloads, in official classification, found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Cook v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 493.

607. Rates on horses and mules, in carloads, from Wichita, Kans., and Oklahoma City and Calumet, Okla., to Houston, Tex., found not unreasonable, but unduly prejudicial. Reparation denied. Complaint dismissed.

*Richmond Radiator Co. v. N. Y., N. H. & H. R. R. Co.*, 109 I. C. C. 497.

608. Rate on core sand, in carloads, from Provincetown, Mass., to Norwich, Conn., found unreasonable. Reparation awarded and maximum reasonable rate prescribed for the future.

*Sioux Falls Live Stock Exch. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 501.

609. Rates on cattle, calves, hogs, and sheep from Sioux Falls, S. Dak., to Albert Lea and Austin, Minn., found not unreasonable or unduly prejudicial.

610. Rates on like traffic from Sioux Falls to Chicago, Peoria, and East St. Louis, Ill., Milwaukee, Madison, and Cudahy, Wis., St. Louis and Kansas City, Mo., Omaha, Nebr., and Ottumwa, Des Moines, Cedar Rapids, and Mason City, Iowa, found unreasonable and unduly prejudicial to the extent indicated in the report. Reasonable and nonprejudicial rates prescribed.



611. The granting of certain transit arrangements on livestock at Sioux City, Iowa, while contemporaneously denying similar arrangements at Sioux Falls, found unduly prejudicial to Sioux Falls. Undue prejudice ordered removed.

*Fairfield Paper Co. v. B. & O. R. R. Co.*, 109 I. C. C. 514.

612. Rate on imported wood pulp from Baltimore, Md., to Baltimore, Ohio, found not unreasonable or unduly prejudicial. Complaint dismissed.

*Tomahawk Kraft Paper Co. v. C. & N. W. Ry. Co.*, 109 I. C. C. 517.

613. Rates on pulp wood, in carloads, from Minnesota points to Wisconsin Dam and Kings, Wis., when routed via Duluth or Missabe Junction, Minn., the Minneapolis, St. Paul & Sault Ste. Marie to Bradley, Wis., and thence over the Marinette, Tomahawk & Western, found unreasonable. Reasonable proportional rate from Duluth and Missabe Junction prescribed. Reparation awarded.

*Olson v. M., St. P. & S. S. M., Ry. Co.*, 109 I. C. C. 526.

614. Rate on monumental granite, in carloads, from Montello, Wis., to Muscatine, Iowa, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Nelson S. S. Co. v. B., A. & P. Ry. Co.*, 109 I. C. C. 529.

615. Refusal of defendants to establish through routes and joint or proportional rates with complainant found unduly prejudicial. Such routes and rates found to be desirable in the public interest.

616. Defendants required to establish through routes and joint or proportional rates with complainant between points in California, Oregon, Washington, Idaho, Montana, North Dakota, South Dakota, and Minnesota on the same basis and to the same extent as contemporaneously maintained by defendants with the Pacific Steamship Co. and McCormick Steamship Co.

*Southern Steel & Rolling Mill v. L. & N. R. R. Co.*, 109 I. C. C. 539.

617. Rate charged on ambulance axles, in carloads, from New Orleans, La., to Birmingham, Ala., found inapplicable. Applicable rate found not unreasonable. Complaint dismissed.

*Lexington Elevator & Mill Co. v. B. & O. R. R. Co.*, 109 I. C. C. 542.

618. Demurrage charges assessed for the detention at Lexington, Ohio, of 10 cars containing grain or feed, found not unreasonable. Complaint dismissed.

*Chicago Heights Mfrs. Asso. v. B. & O. R. R. Co.*, 109 I. C. C. 545.

619. Rate on soya beans, in carloads, from Norfolk, Va., to Chicago Heights, Ill., during June, 1922, found not unreasonable. Complaint dismissed.

*Armour Fertilizer Works v. N. O., T. & M. Ry. Co.*, 109 I. C. C. 549

620. Rate collected on one carload of imported nitrate of soda, shipped in 1921 from New Orleans, La., to Houston, Tex., found unreasonable. Reparation awarded.

*Pioneer Oil & Refining Co. v. S. A. S. Ry. Co.*, 109 I. C. C. 551.

621. Rate on gasoline, in tank cars, from Somerset, Tex., to Phoenix, Ariz., found unduly prejudicial and preferential. Reparation awarded.

*Schroeder Lumber Co. v. A., C. & Y. Ry. Co.*, 109 I. C. C. 553.

622. Rates on lumber, in carloads, from Ashland, Wis., to points in Illinois, central, and trunk-line territories, found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Sherger & Sons v. B. & M. R. R.*, 109 I. C. C. 555.

623. Following *Crown Overall Mfg. Co. v. Director General*, 100 I. C. C. 471, complaints alleging solely that commodity rates lower than the class rates charged should have been applied, regardless of the value of the commodity, because the tariff provision restricting the application of the commodity rate to shipments of a maximum value per 100 pounds was void under the Cummins amendment, found to be without merit. Complaints dismissed.

*American Sand & Gravel Co. v. Director General*, 109 I. C. C. 557.

624. Rate demanded on complainant's shipments of sand and gravel, in carloads, from Hammond, Ill., to Chicago, Ill., during Federal control, found inapplicable. Complaint dismissed.

*Dolse Bros. Co. v. C., R. I. & P. Ry. Co.*, 109 I. C. C. 561.

625. Class A rates found applicable and not unreasonable on contractors' outfits, in carloads, from Buffalo, Iowa, to Apache, Okla., and from Richards Spur, Okla., to Buffalo. Complaint dismissed.

*National Poultry, Butter & Egg Asso. v. American Ry. Express Co.*, 109 I. C. C. 565.

626. Interstate commodity rates on carload shipments of dressed poultry and dead rabbits by express found unreasonable for the future. Reasonable rates prescribed. Reparation denied.

*Parkersburg Rig & Reel Co. v. B. & O. R. R. Co.*, 109 I. C. C. 569.

627. Tariff provisions restricting application of joint rates and providing local or combination rates on iron and steel articles shipped from Pennsylvania and Ohio points between December 1, 1921, and October 31, 1922, fabricated in transit at Parkersburg, W. Va., and reshipped to Bowling Green, Whitesville, and Scottsville, Ky., and to New Orleans, La., for export, and since July 1, 1923, to Glasgow and Glasgow Junction, Ky., found unreasonable and unduly prejudicial. Reparation awarded, and reasonable and nonprejudicial rates prescribed for the future to certain of the points.

*White Star Refining Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 577.

628. Shipments of lubricating oil and gasoline, in carloads, from Okmulgee, Ponca City, Cushing, and Tulsa, Okla., and Independence and Augusta, Kans., to Detroit, Mich., found to have been overcharged. Reparation awarded.

*Montgomery Cotton Exch. v. S. A. L. Ry. Co.*, 109 I. C. C. 579.

629. Defendants' failure to provide for the concentration and warehousing in transit at Montgomery, Ala., of cotton from points on and west of the Louisville & Nashville between Decatur and Mobile, Ala., destined to south Atlantic ports and to southeastern and Carolina points and, via south Atlantic ports, to New England mill points, found unreasonable, but not unduly prejudicial.

*Moore-Lawless Grain Co. v. M. P. R. R. Co.*, 109 I. C. C. 588.

630. Claim for reparation on account of alleged illegal demurrage charges collected on shipments of grain at Leavenworth, Kans., found barred by the statute of limitations. Complaint dismissed.

*Barnes v. C. & N. W. Ry. Co.*, 109 I. C. C. 589.

631. Complaint abandoned by lack of prosecution after denial on informal docket. Complaint dismissed.

*Erie Bolt & Nut Co. v. B. & O. R. R. Co.*, 109 I. C. C. 590.

632. Rates on iron and steel articles, in carloads, from Pittsburgh, Pa., and certain other points in the Pittsburgh district; and from Washington, Pa., Follansbee, W. Va., and Massillon and Canton, Ohio, to Erie, Pa., found unreasonable. Reparation awarded.

*Latham-Bradshaw Cotton Co. v. B. R. Ry. Co.*, 109 I. C. C. 593.

633. Complaint alleging that rates on cotton shipped from points in South Carolina to points in North Carolina and Virginia, compressed at Toccoa, Ga., were unreasonable, unduly prejudicial, and violative of the long-and-short-haul provision of section 4 of the interstate commerce act, found barred by limitation and dismissed.

*Robinson Milling Co. v. A. & S. Ry. Co.*, 109 I. C. C. 595.

634. Rates on wheat bran, in straight carloads and in mixed carloads with grain and grain products, from points in western and southwestern States to points in Louisiana, Texas, and New Mexico during the period of two years immediately preceding the filing of the complaint found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Watters-Tonge Lumber Co. v. A. & St. A. B. Ry. Co.*, 109 I. C. C. 598.

635. Rate on lumber, in carloads, from Millville Junction, Fla., to Decatur, Ga., thence reconsigned to Scottdale, Ga., found unreasonable. Reparation awarded and reasonable rate prescribed.

*Jonesville Milling Co. v. N. Y. C. R. R. Co.*, 109 I. C. C. 601.

636. Out-of-route charges collected on three carloads of grain, shipped from Ossian and Helmer, Ind., to Jonesville, Mich., there milled in transit and re-shipped to Three Rivers, Kalamazoo, and Hopkins, Mich., found illegal. Refund of overcharges directed and complaint dismissed.

*Northern W. Va. Coal Operators' Asso. v. P. R. R. Co.*, 109 I. C. C. 604.

637. Former finding that the practices of the director general during the period July 1, 1919, to March 1, 1920, excluding November, 1919, in the distribution of coal cars to mines on the Monongahela Railway and Morgantown & Wheeling Railway, were unduly prejudicial to operators of coal mines on those roads, modified on further hearing. Original report, 60 I. C. C. 569.

638. Case held open for further hearing as to the extent of the damages, if any, sustained by complainant's members as a result of the undue prejudice found to exist.

*Handling, storage, and wharfage charges on fertilizer*, 109 I. C. C. 609.

639. Proposed reduced charge for handling, storage, and wharfage of imported fertilizer and fertilizer materials at Pensacola, Fla., and Mobile, Ala., found not justified. Suspended schedules ordered canceled and proceedings discontinued.

*Morrell & Co. v. C., B. & Q. R. R. Co.*, 109 I. C. C. 613.

640. Upon further hearing, reparation awarded on all shipments of packing-house products from Ottumwa, Iowa, to Memphis, Tenn., included in its Rule V statement. Former reports, 61 I. C. C. 153, I. C. C. 200.

*Pacific Manure & Fertilizer Co. v. A. & R. R. R. Co.*, 109 I. C. C. 615.

641. Former report, 95 I. C. C. 430, finding on further consideration that rates on animal manure, in carloads, from Perth and Lovelock, Nev., to eastbound transcontinental Groups B to J, inclusive, and M, had been unreasonable, and prescribing reasonable rates to Groups F to J, inclusive, and M, for the future, affirmed upon oral argument.

*Tamms Silica Co. v. C. & N. W. Ry. Co.*, 109 I. C. C. 618.

642. Class D rates charged on five carloads of iron ore from Ishpeming and Negaunee, Mich., to Tamms, Ill., found unreasonable. Reparation awarded.

*American National Live Stock Asso. v. O.-W. R. R. & N. Co.*, 109 I. C. C. 621.

643. Rates applicable on beef cattle, in carloads, and on sheep and lambs, in double-deck and single-deck carloads, from points in Oregon, Washington, Idaho, and Montana to Chicago, Ill., St. Paul, Minn., Omaha, Nebr., and other middle-western and Missouri River markets found unreasonable. Reasonable maximum rates prescribed. Claims for reparation reserved for further hearing.

*Green Hill Mining Co. v. N. Y. C. R. R. Co.*, 109 I. C. C. 632.

644. Rates on feldspar crude rock, in carloads, from DeKalb Junction, N. Y., to Manchester, Conn., found unreasonable. Reparation awarded.

*General Refractories Co. v. E., J. & E. Ry. Co.*, 109 I. C. C. 635.

645. Interstate rate on fire brick, in carloads, from Joliet, Ill., to Gary and Indiana Harbor, Ind., and South Chicago, Ill., found unreasonable. Reasonable maximum rate prescribed.

*Central Commercial Co. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 639.

646. Rate of \$2.625 collected on one carload of carbide of calcium shipped from Duluth, Minn., to Kingman, Ariz., found inapplicable. Reparation awarded.

*International Shoe Co. v. B. & O. R. R. Co.*, 109 I. C. C. 641.

647. Minimum weight applied on shipments of myrobalans, wattle bark, and divi divi pods from New York, N. Y., to Morganton, N. C., found inapplicable. Applicable minima not shown to have been unreasonable. Complaint dismissed.

*Green Hill Mining Co. v. N. Y. C. R. R. Co.*, 109 I. C. C. 643.

648. Sixth-class rate on crude feldspar, in carloads, from De Kalb Junction, N. Y., to Cleveland, Ohio, found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.



*Winona Asso. of Commerce v. C., R. I. & P. Ry. Co.*, 109 I. C. C. 648.

649. Rates on imported pyrethrum flowers, in carloads, from Seattle and Tacoma, Wash., and San Francisco, Calif., to Minneapolis, Minn., there ground, and the product shipped to Winona, Minn., found unreasonable. Reparation awarded.

*Towers Hardware Co. v. P. R. R. Co.*, 109 I. C. C. 651.

650. Rate on window glass, in carloads, from Jeannette, Pa., to Jacksonville, Fla., over rail-and-ocean route, not found unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Lincoln Traction Co. v. M. P. R. R. Co.*, 109 I. C. C. 653.

651. Rate charged on 97 carloads of crude and fuel oil from Smackover, Ark., to Lincoln, Nebr., found unreasonable. Reparation awarded.

*Armstrong Cork Co. v. P. R. R. Co.*, 109 I. C. C. 655.

652. Rate on candle pitch, in carloads, from New York, N. Y., to Lancaster, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Protective service rules on perishable freight*, 109 I. C. C. 657.

653. Findings in original report, 104 I. C. C. 79, modified to permit increase in maximum amount of top ice on shipments of cauliflower.

*Lumberton Broom & Mop Handle Factory v. N. O. & N. E. R. R. Co.*, 109 I. C. C. 659.

654. Rate on curtain poles, dowel pins, and broom and mop handles from Lumberton, Miss., to New Orleans, La., found unjust and unreasonable. Reasonable rates for the future prescribed and reparation awarded.

*Schweitzer Co. v. Director General*, 109 I. C. C. 663.

655. Certain charges for icing and re-icing in transit of dressed poultry, butter, and eggs, in carloads, from Chicago, Ill., Moulton, Iowa, Quincy, Ill., Oklahoma City, Okla., Keokuk, Iowa, and Fort Wayne, Ind., to various destinations in official classification territory found inapplicable and illegal. Reparation awarded.

*Automatic train-control devices*, 109 I. C. C. 667.

656. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

657. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Automatic train-control devices*, 109 I. C. C. 680.

658. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

659. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Burlington Shippers' Asso. v. A., T. & S. F. Ry. Co.*, 109 I. C. C. 694.

660. Rates on canned goods, in carloads, from points in Illinois freight association territory to Burlington, Davenport, Dubuque, and Keokuk, Iowa, and Hannibal, Mo., west-bank Mississippi River points, also in Illinois freight association territory, found not unreasonable except to the extent they exceed fifth-class rates.

661. Relation of rates between the points stated and between the same points of origin and Chicago and Peoria, Ill., and St. Louis, Mo., also in Illinois freight association territory, found not to be unduly prejudicial. Reparation denied.

*Newsprint paper from eastern Canada to points in Tennessee*, 109 I. C. C. 701.

662. Proposed rates on newsprint paper, in carloads, from Shawinigan Falls, Quebec, Canada, and points in Canada taking the same rates or rates related thereto, to Nashville, Knoxville, and Memphis, Tenn., found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our conclusions herein.

*Knoxville Traffic Bureau v. A. C. L. R. R. Co.*, 109 I. C. C. 705.

663. Rates on imported fertilizer materials, in carloads, from Charleston, S. C., and Savannah, Ga., to Knoxville, Tenn., found unduly prejudicial but not unreasonable. Reparation denied. Complaint dismissed.

*Green Lumber Co. v. A. A. R. R. Co.*, 109 I. C. C. 710.

664. Joint rates assessed on compo-board (fiber board and wood combined), in carloads, from Minneapolis, Minn., to points in central territory, in excess of the aggregates of the intermediate rates found unreasonable, and reparation awarded. Former report, 80 I. C. C. 185, reversed in part as to the allowance of reparation.

*Spokane & Eastern Ry. & P. Co. v. S. P. & S. Ry. Co.*, 109 I. C. C. 713.

665. Record found insufficient to justify findings upon the issues presented or otherwise to afford a basis for satisfactory adjustment of divisions. Complaint dismissed without prejudice.

*Seaboard Rice Milling Co. v. A. G. S. Ry. Co.*, 109 I. C. C. 718.

666. Shipments of clean rice, in carloads, from Galveston, Tex., to Bluefield, W. Va., August 18 and 30, 1921, found overcharged. Applicable rate found not unreasonable. Refund of overcharges directed and complaint dismissed.

*Glidden Co. v. I. C. R. R. Co.*, 109 I. C. C. 721.

667. Rate on linseed oil, in carloads, from St. Louis, Mo., to New Orleans, La., found unreasonable and unduly prejudicial. Reparation awarded and measure of reasonable maximum rates prescribed for the future.

*Rosser & Fitch v. Director General*, 109 I. C. C. 724.

668. Rate charged on three carloads of dried beans shipped in November, 1917, and March, 1919, from Wilmington and Modesto, Calif., to Jacksonville, Fla., found applicable. Claim under sections 1, 2, and 3 of the act barred. Complaint dismissed.

*Western Indiana Gravel Co. v. N. Y., C. & St. L. R. R. Co.*, 109 I. C. C. 727.

669. Rates on sand and gravel, in carloads, from La Fayette, Ind., to points in Illinois found unreasonable and unduly prejudicial. Reasonable and non-prejudicial rates prescribed for the future.

*Swift & Co. v. G. N. Ry. Co.*, 109 I. C. C. 733.

670. Rates on meat animals, in carloads, from points in Alabama to Moultrie, Ga., found not unreasonable; but the relationship of rates on hogs, in carloads, from southeastern Alabama to Moultrie, on the one hand, and Montgomery and Birmingham, Ala., on the other, found unduly prejudicial and preferential and unjustly discriminatory against interstate commerce. Method of removing such prejudice, preference, and discrimination prescribed.

*Ala. Mining Institute v. I. C. R. R. Co.*, 109 I. C. C. 740.

671. Relationship in the rates on coal, in carloads, from Alabama mines, on the one hand, and western Kentucky and southern Illinois mines, on the other, to destinations in Tennessee, Alabama, Mississippi, Louisiana, Arkansas, and Texas, found unduly prejudicial to the former and preferential of the latter. Nonprejudicial relationship prescribed.

672. Division of rates accorded certain short lines in lower Mississippi Valley territory by the Illinois Central and other defendants found not unlawful.

*Gavin, White & Prince v. N. P. Ry. Co.*, 109 I. C. C. 756.

673. Combination rates on a carload of berries which moved July 18, 1923, from Sumner, Wash., to Wichita, Kans., and was there reconsigned to Kansas City found applicable. Refund of overcharge directed. Complaint dismissed.

*Ball & Co. v. D. & R. G. W. R. R. Co.*, 109 I. C. C. 759.

674. Additional charges collected on one carload of canned fruit from Canon City, Colo., to San Francisco, Calif., in fiber boxes, because of shipper's failure to mark the boxes with a description of the contents, found unreasonable. Reparation awarded.

*Summit Grain Co. v. C., M. & St. P. Ry. Co.*, 109 I. C. C. 763.

675. Rate assessed on one carload of corn from Jefferson, S. Dak., to Fowler, Colo., found applicable but unreasonable. Reparation awarded.

*Dixie Cotton Oil Co. v. F. W. & D. C. R. R. Co.*, 112 I. C. C. 1.

676. Rates on cottonseed, in carloads, from points in Texas to Memphis, Tenn., found unreasonable. Reparation awarded.

*Plaster board to Utah common points*, 112 I. C. C. 3.

677. Proposed increased rates on plaster board, wall plaster, stucco, and plaster blocks, in straight or mixed carloads, from Los Angeles, Calif., and Seattle, Wash., to Utah common points, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Eastern Lime Mfrs.' Traffic Bureau v. A. & B. B. R. R. Co.*, 112 I. C. C. 7.

678. Rates on lime, in carloads, from producing points in Maryland, Pennsylvania, West Virginia, Virginia, and Ohio to central territory found unreasonable. Reasonable maximum rates prescribed.

679. Findings in *Lehigh Lime Co. v. A., C. & Y. Co.*, 85 I. C. C. 341, and *Lime from Eastern Trunk Line Points*, 93 I. C. C. 617, modified in part.

*N W. Fruit Exch. v. E. R. R. Co.*, 112 I. C. C. 29.

680. Demurrage and icing charges collected on one carload of apples from Omak, Wash., to New York, N. Y., found applicable, and not shown to have been unreasonable. Complaint dismissed.

*Moore-Marshall Lumber Co. v. N. O. & N. E. R. R. Co.*, 112 I. C. C. 33.

681. Carload shipments of lumber from Pachuta, Miss., to Homestead, Meadville, Titusville, and Mercer, Pa., found to have been overcharged. Reparation awarded.

*Nooney & Co. v. P. R. R. Co.*, 112 I. C. C. 35.

682. Rate charged on a carload of fresh peaches from Quincy, Pa., to Jacksonville, Fla., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Leach v. C., N. O. & T. P. Ry. Co.*, 112 I. C. C. 38.

683. Rates on cannel coal, in carloads, from Cannel City, Ky., to destinations in New York and New Jersey, found not unreasonable. Complaint dismissed.

*Barber Asphalt Paving Co. v. L. V. R. R. Co.*, 112 I. C. C. 41.

684. Demurrage assessed for the detention of various commodities, in carloads, at Maurer, N. J., found not unreasonable or otherwise unlawful, except with respect to certain overcharges directed to be refunded. Complaint dismissed.

*Foreign & Domestic Veneer Co. v. L. & N. R. R. Co.*, 112 I. C. C. 46.

685. Rate charged on imported mahogany logs, in carloads, from Greenville Piers, N. J., to Knoxville, Tenn., found unreasonable. Reparation awarded.

*Hutchinson Paper Co. v. T. & N. O. R. R. Co.*, 112 I. C. C. 49.

686. Upon reconsideration, rate on wrapping paper, in carloads, from Orange, Tex., to Hutchinson, Kans., found not unduly prejudicial. Finding of unreasonableness in former report, 95 I. C. C. 457, adhered to.

*Graham Paper Co. v. C., R. I. & P. Ry. Co.*, 112 I. C. C. 51.

687. Rates on paper and paper articles, in carloads, from Urbana, Ohio, and St. Louis, Mo., to Dallas, El Paso, and San Antonio, Tex., found unreasonable. Reparation awarded.

*Memphis Freight Bureau v. C. & O. Ry. Co.*, 112 I. C. C. 55.

688. Complaint against rate charged on a carload of wrapping paper from Piercefield, N. Y., to Memphis, Tenn., found barred by the statute of limitation. Complaint dismissed.

*Mason v. M. & W. R. R. R. Co.*, 112 I. C. C. 56.

688½. Claim for reparation on a shipment of dressed granite from South Ryegate, Vt., to Columbus, Ohio, barred because complaint not filed within two years from the date of accrual of cause of action. Complaint dismissed.

*Wagner Electric Corp. v. Director General*, 112 I. C. C. 57.

689. Rate charged on two carloads of electric starters and electric transformers from Glen Rock, Wyo., to St. Louis, Mo., found inapplicable. Reparation awarded.

*Lynchburg Chamber of Commerce v. E. R. R. Co.*, 112 I. C. C. 59.

690. Rates applicable on waxed wrapping paper, in less than carloads, from Garfield, N. J., to Lynchburg, Va., found not unreasonable or otherwise unlawful. Refund of overcharges directed and complaint dismissed.



*Abeles & Taussig Lumber & Tie Co. v. C., R. I. & P. Ry. Co.*, 112 I. C. C. 62.

691. Rates on wooden railroad ties, in carloads, from Argyle, Canaan, Rosebud, and Bagnell, Mo., to Rapid City, S. Dak., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Thompson, Weinman & Co. v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 65.

692. Three carload shipments of ground limestone from Sparta, Tenn., to Fairfield, Conn., found overcharged. Applicable rates found not unreasonable or otherwise unlawful. Refund of overcharges directed and complaint dismissed.

*Wichita Chamber of Commerce v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 67.

693. Rates on wrapping paper, in carloads, from Orange, Tex., to Wichita, Kans., found unreasonable. Reparation awarded.

*Warren Coke Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 71.

694. Rates on coke, in carloads, from St. Louis, Mo., to the Missouri River cities and to destinations in Missouri and Kansas, found unreasonable and unduly prejudicial as compared with the rates from Chicago, Ill., and Birmingham, Ala., to the same destinations. Reasonable and nonprejudicial basis of rates prescribed for the future.

*Warren Bros. Co. v. S. P. Co.*, 112 I. C. C. 87.

695. Rates charged on asphalt, in carloads, from Richmond, Calif., to Susanville, Calif., between September 3, 1921, and August 19, 1922, found unreasonable. Reparation awarded.

696. Present rates found not unreasonable or otherwise unlawful.

*Ark. River Sand Co. v. M.-K.-T. R. R. Co.*, 112 I. C. C. 92.

697. Rates on sand, in carloads, from Sand Springs, Okla., to certain points in Kansas and Missouri found not unreasonable but unduly prejudicial to complainant and preferential of complainant's competitor at Osage, Okla. Undue prejudice ordered removed.

*Seneca Wire & Mfg. Co. v. B. & O. R. R. Co.*, 112 I. C. C. 95.

698. Failure of defendants to establish joint rail-and-water rates on iron wire, in carloads and less than carloads, from Fostoria, Ohio, to Savannah, Ga., and Jacksonville, Fla., found unduly prejudicial. Nonprejudicial relationship prescribed.

*Wellsville Fire Brick Co. v. Director General*, 112 I. C. C. 98.

699. Rates applicable on fire brick, in carloads, shipped from Wellsville, Mo., to certain points in Oklahoma and Texas between October 18, 1919, and February 20, 1920, found unreasonable. Reparation awarded.

*Egyptian Tie & Timber Co. v. M. P. R. R. Co.*, 112 I. C. C. 101.

700. Reparation awarded on shipments of mine timbers, in carloads, from points in Missouri to destinations in Illinois, under the finding in *Palmer v. M. P. R. R. Co.*, 87 I. C. C. 622.

*Western Brokerage Co. v. A. C. L. R. R. Co.*, 112 I. C. C. 103.

701. Rate on unshelled peanuts from Suffolk, Va., to Hutchinson, Kans., found unreasonable. Reasonable rate prescribed.

*Southern Menhaden Corp. v. A. N. R. R. Co.*, 112 I. C. C. 108.

702. Rates on fish scrap from Port St. Joe, Fla., to destinations in southern, central, and trunk-line territories found not unjustly discriminatory or unduly prejudicial. Complaint dismissed.

*Rinelli v. N. Y. O. R. R. Co.*, 112 I. C. C. 111.

703. Refrigeration charges on a carload of plumbs from Sanborn, N. Y., to Lockport, N. Y., thence reconsigned to Philadelphia, Pa., found not unreasonable. Complaint dismissed.

*Beatrice Creamery Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 113.

704. Rates charged prior to July 10, 1922, for the transportation of paper boxes, knocked down flat, not corrugated, in carloads, from Chicago, Ill., to certain western destinations found unreasonable. Reparation awarded.

*Absorption of switching charges at Laona*, 112 I. C. C. 115.

705. Proposed increase in the maximum amount of respondent's absorption of the Laona & Northern switching charge to and from the plant of the Connor Land & Lumber Company at Snyders, near Laona, Wis., found not justified. Suspended schedule ordered canceled and proceeding discontinued.

*Krauss Bros. Lumber Co. v. Director General*, 112 I. C. C. 117.

Upon complaints alleging that defendants' failure to reconsign at Jackson, Miss., numerous shipments of lumber, in carloads, originating in Mississippi, and destined to points in Pennsylvania, Ohio, West Virginia, New Jersey, New York, and Illinois resulted in the collection of excessive and illegal demurrage and other charges, Found:

706. Excepting Sub-No. 14 and Sub-No. 19, the formal complaints were not filed within six months after the informal presentation of the claims was closed. Claims abandoned. Complaints dismissed.

707. Sub-No. 14 not filed within reasonable time after filing of informal complaint. Claim abandoned. Complaint dismissed.

708. Sub-No. 19 barred by statute of limitations. Complaint dismissed.

*Bos Sand Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 121.

709. Rate on sand in carloads, from Michigan City, Ind., to points on connecting lines in the Chicago, Ill., switching district, found not unreasonable, unduly prejudicial, or otherwise unlawful. Complaint dismissed.

*Switching at Beaumont*, 112 I. C. C. 125.

710. Proposed elimination of Fair Grounds, Beaumont, Tex., as a point to and from which respondent will switch carload traffic of connecting lines, found not justified. Suspended schedule ordered canceled and proceeding discontinued.

*French Battery & Carbon Co. v. C. & N. W. Ry. Co.*, 112 I. C. C. 128.

711. Fourth-class rating and rates on carbon flour, in carloads, from Coal-mont, Pa., to Madison, Wis., found unreasonable. Reparation awarded and reasonable rating and rate prescribed for the future.

*Lumber from or to Florida points*, 112 I. C. C. 133.

712. Proposed restriction in rates on lumber, in carloads, between points in Florida found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Fifth & Ninth Districts Coal Traffic Bureau v. C., R. I. & P. Ry. Co.*, 112 I. C. C. 139.

713. Rates on coal from mines in the Belleville district in Illinois to Kansas City and St. Joseph, Mo., and Atchison and Leavenworth, Kans., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Railway mail pay*, 112 I. C. C. 151.

714. Rates of pay for transportation of the mails on and after May 25, 1925, found not fair and reasonable. Fair and reasonable rates established for service rendered on and after that date. Former report, 56 I. C. C. 1.

*Pet Milk Co. v. P. R. R. Co.*, 112 I. C. C. 155.

715. Rates on canned evaporated milk, in carloads and less than carloads, from Greensboro, Md., to various interstate destinations, found unreasonable. Reparation awarded and basis for future rates prescribed.

*Williams Co. v. C. N. E. Ry. Co.*, 112 I. C. C. 158.

716. Fifth-class rate on red oil, in carloads, from Ivorydale, Ohio, to East Hartford, Conn., found not unreasonable. Refund of overcharges on one tank-car load shipped in April, 1924, directed, and complaint dismissed.

*Phosphate Products Corp. v. C. & O. Ry. Co.*, 112 I. C. C. 161.

717. Shipments of crushed limestone, in carloads, from Rocky Point, Va., to Charleston, S. C., found to have been overcharged. Reparation awarded.

*Calves from Texas*, 112 I. C. C. 163.

718. Proposed revision of rates on calves, in carloads, from points in Texas to various markets found justified, except for rates to Kansas City, Mo., and points grouped therewith. Suspension order vacated as to schedules naming

rates to points other than those in the Kansas City group. Suspended schedules naming rates to the Kansas City group ordered canceled, but without prejudice to the filing of new ones on the basis herein indicated. Proceeding discontinued.

*Dixie Peanut Mills v. A. G. S. R. R. Co.*, 112 I. C. C. 167.

719. Rate on burlap bags, in bales, in less than carloads, from New Orleans, La., to Tuscaloosa, Ala., found not unreasonable but unduly prejudicial. Non-prejudicial rate prescribed.

*Williams & Co. v. L. V. R. R. Co.*, 112 I. C. C. 171.

720. Rate on copperas, in carloads, shipped interstate from Farrell to Easton, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Jessup & Moore Paper Co. v. B. & O. R. R. Co.*, 112 I. C. C. 174.

721. Rates on printing paper, in carloads, from Providence, Md., and Wilmington, Del., to Richmond, Va., found unreasonable. Reasonable rates prescribed and reparation awarded.

*Procter & Gamble Mfg. Co. v. B. & O. R. R. Co.*, 112 I. C. C. 177.

722. Rates on fish oil, in carloads, from points on the Atlantic seaboard to Port Ivory, N. Y., and Bayway, N. J., and from Bayway to Philadelphia and Marcus Hook, Pa., found not unreasonable in the past but unreasonable for the future. Reasonable rates prescribed. Reparation denied.

723. Rate on fish oil and whale oil, in tank-car loads, from Ivorydale, Ohio, to Port Ivory, N. Y., found not unreasonable.

*Standard Pipe Line Co. v. T. & P. Ry. Co.*, 112 I. C. C. 186.

724. Rates on camp outfits, in carloads, between points in Louisiana and Arkansas found unreasonable. Reparation awarded.

*Stacy-Merrill Fruit Co. v. P. M. Ry. Co.*, 112 I. C. C. 189.

725. Rate charged on one carload of strawberries from Stevensville, Mich., to Duluth, Minn., found unreasonable. Reparation awarded.

*Train service on N. P. Ry. Co.*, 112 I. C. C. 191.

726. The commission has authority to regulate the supply of trains for the transportation of property.

727. Proposed discontinuance of daily mixed-train service on the line of the Northern Pacific Railway Company extending between Beach, N. Dak., and Ollie, Mont., and establishment in lieu thereof of triweekly service, not found to be unjust, unreasonable, or unlawful.

*American National Live Stock Asso. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 197.

728. Rates on livestock in the territory between the Missouri River and the Pacific coast found not unreasonable or unduly prejudicial. Complaint dismissed.

*Heinz Co. v. Director General*, 112 I. C. C. 206.

729. Findings in original report, 91 I. C. C. 358, relative to carload shipments of fresh tomatoes made in stock cars from Silver Creek, N. Y., district to Pittsburgh, Pa., reversed and complaint dismissed.

*Lewis Co. v. L. & N. R. R. Co.*, 112 I. C. C. 213.

730. Rates and minimum weights on strawberries and cabbage, in carloads, from points in Kentucky and Tennessee to Kalamazoo, Battle Creek, Sturgis, and Coldwater, Mich., found unreasonable and unduly prejudicial. Reparation awarded.

*Standard Oil Co. v. St. L.-S. F. Ry. Co.*, 112 I. C. C. 217.

731. Claims for reparation on account of alleged illegal charges collected on gas oil, in tank-car loads, from Vinita, Okla., to Blissville and Hempstead, N. Y., and Detroit, Mich., found to be barred by the statute of limitations. Complaint dismissed.

*Eggerss-O'Flyng Co., v. A. G. S. R. R. Co.*, 112 I. C. C. 218.

732. Rates on cigar-box lumber, in carloads, from Magazine, Ala., to Omaha, Nebr., found not to have been nor to be unreasonable, nor in excess of the rates applicable. Complaint dismissed.



*Western Paper Makers Chemical Co. v. G. & S. I. R. R. Co.*, 112 I. C. C. 221.

733. Rates on batting dross, in carloads, from Mangrum, Miss., to Pensacola, Fla., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Neuhoff Packing Co. v. L. & N. R. R. Co.*, 112 I. C. C. 223.

734. Rates charged on mixed carloads of tin lard cans and pails from Norwood, Ohio, to Nashville, Tenn., found applicable. Complaint dismissed.

*Wilhoit Refining Co v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 225.

735. Rate on crude oil, in tank-car loads, from Ponca City, Okla., to Joplin, Mo., found not unreasonable, but unduly prejudicial. Undue prejudice ordered removed and reparation denied.

*Louisville Cooperage Co. v. L. & N. R. R. Co.*, 112 I. C. C. 228.

736. Rate on rough staves and headings, in carloads, from Bonita, Ia., to Louisville, Ky., found unreasonable. Reparation awarded. Former report, 93 I. C. C. 593, reversed on further hearing.

*Combination rule on sand, gravel, and stone*, 112 I. C. C. 231.

737. Proposed increased rates on sand, gravel, and crushed stone, in carloads, from points on the Chicago, Burlington & Quincy Railroad in eastern Nebraska to points in Iowa and Missouri, found not justified. Suspended schedules ordered canceled, but without prejudice to the filing of other schedules in accordance with the views expressed herein. Respondents having taken steps, in conformity with agreement between the parties, to continue in effect the present rates, the suspension of other schedules vacated. Proceeding discontinued.

*Kansas Public Utilities Commission v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 235.

738. Rates on coal, in carloads, from Colorado and northern New Mexico producing districts to local points on the St. Louis-San Francisco, Missouri-Kansas-Texas, and Midland Valley found unreasonable and unduly prejudicial. Reasonable rates prescribed.

*Crosby v. St. L.-S. F. Ry. Co.*, 112 I. C. C. 239.

739. Allegations of undue prejudice against, and of unreasonable regulations affecting, persons of the colored race in favor of persons of the white race not shown with sufficient definiteness to warrant the entry of an order. Found that the commission has no jurisdiction to award punitive or exemplary damages. Complaint dismissed.

*Brady v. B. & O. R. R. Co.*, 112 I. C. C. 244.

740. Acts and practices of defendants in according Western Maryland service to mines of the West Virginia Coal & Coke Company located on the Coalton branch of the Baltimore & Ohio during the period from October 14, 1922, to April 1, 1923, while failing to accord similar service to complainant's mine located intermediate thereto found to have resulted in undue prejudice to complainant in the matter of car supply. To this extent previous findings in this case, 102 I. C. C. 19, reversed. Case held open to permit filing of petition for further hearing with respect to amount of damages.

*Routing brick and clay products*, 112 I. C. C. 252.

741. Respondent permitted to cancel its participation in a joint rate on common brick from Van Wyck, S. C., to Charlotte, N. C., 38 miles, of which its haul is 4 miles, in view of its own route, 46 miles, carrying the same rate, between the same points.

*Salt from Ludington group*, 112 I. C. C. 255.

742. Proposed increased translake rate on salt, in carloads, from Ludington and Manistee, Mich., to Chicago, Ill., and intermediate points, applicable over the car-ferry route of the Pere Marquette to Milwaukee, Wis., and the Chicago, Milwaukee & St. Paul beyond, found justified. Order of suspension vacated and proceeding discontinued.

*Automatic train-control devices*, 112 I. C. C. 259.

743. Section 3 of the interstate commerce act does not apply to the making of contracts by a common carrier for the purchase of equipment.

744. The matter of automatic train-control devices is controlled by specific provisions of section 26 of the act, and the orders issued thereunder, and not by the car-service provisions of section 1 of the act.

745. Complaint that section 26 and our specifications and requirements are being violated by the New York Central because of the latter's failure to include speed control in its installation of an automatic train-stop system and its employment of a forestalling device in connection with that system found to have no basis under the provisions of our orders.

746. It can not be found upon this record that the method of braking employed in the General Railway Signal Company device impairs the efficiency of the air-brake system, nor that our requirements with respect to clearances and operation are not complied with. These may be demonstrated only after the device is installed and in operation. The same is true with respect to the requirement that the apparatus shall be so constructed that it will, so far as possible, perform its intended function if a break, cross, or ground occurs in electric circuits.

747. Found that the provisions of section 10 of the Clayton antitrust act have not been violated in the purchase by the New York Central of the apparatus of the General Railway Signal Company. Complaint dismissed. Former reports, 69 I. C. C. 258 and 91 I. C. C. 426.

*Farmers Union Cooperative Business Asso. v. M. P. R. R. Co.*, 112 I. C. C. 269.

748. Allegations that defendant failed and refused to furnish complainants the proper proportion of cars to which they were justly entitled, not sustained. Complaints dismissed.

*Harman & Hulsey v. Director General*, 112 I. C. C. 275.

749. Shipment of dried lima beans from Santa Monica, Calif., to Tampa, Fla., found overcharged. Reparation awarded.

750. Claim for alleged misrouting barred because not presented within one year after the termination of Federal control.

*Gustafson Mfg. Co. v. St. L.-S. F. Ry. Co.*, 112 I. C. C. 277.

751. Rate on mine cars, in carloads, from Chattanooga, Tenn., to Carbon Hill, Ala., found unreasonable. Reasonable rate prescribed for the future, and reparation awarded.

*Cotton fabrics to Atlantic ports*, 112 I. C. C. 280.

752. Proposed increased all-rail rates on cotton fabrics, any quantity, from Monticello, Ark., to certain Atlantic seaboard cities, found justified. Suspension order vacated and proceeding discontinued.

*Grain and grain products from western points*, 112 I. C. C. 283.

753. Proposed readjustment of rates on and restrictions in routing of grain and grain products, in carloads, from points in Utah and Idaho to points in the Southwest and Alabama and Mississippi found not justified. Suspended schedules ordered canceled, and proceedings discontinued.

*Columbia Steel Co. v. B. & O. R. R. Co.*, 112 I. C. C. 287.

754. Upon reconsideration findings in our original report herein, 109 I. C. C. 46, modified so as to include shipments prior to July 1, 1922, from Buffalo and points taking the same rates to Cleveland, Ohio.

*National Council of Furniture Assos. v. A. A. R. R. Co.*, 112 I. C. C. 289.

755. Ratings and rates on numerous articles of furniture, in carloads, in official classification, not shown to be unreasonable or otherwise unlawful. Complaint dismissed.

*Furniture from southern points*, 112 I. C. C. 302.

756. Upon further argument findings in original report, 100 I. C. C. 127, with respect to rates on furniture from southern manufacturing points to trunk-line and New England territories, affirmed.

*Stauffer Chemical Co. v. H. & B. V. Ry. Co.*, 112 I. C. C. 311.

757. Rate on refined sulphur, in carloads, from Freeport, Tex., to Carl Junction, Mo., found unreasonable. Reparation awarded.

*Briggs & Turivas v. Director General*, 112 I. C. C. 313.

758. Rates applicable on 30 carloads of scrap steel rails from Detroit, Mich., to Kenosha, Wis., shipped between May 4 and October 31, 1918, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Hulsey-Bessent Co. v. P. R. R. Co.*, 112 I. C. C. 317.

759. Rates on potatoes, in carloads, from Pocomoke, Md., and various points in Virginia to Jacksonville, Fla., found unjust and unreasonable. Reparation awarded.

*Dow Co. v. C., C., C. & St. L. Ry. Co.*, 112 I. C. C. 320.

760. Rate charged on less-than-carload shipment of all-metal and metal-and-wood settees from Louisville, Ky., to Warm Springs, Mont., found unreasonable. Reparation awarded.

*Palmer & Co. v. C. G. W. R. R. Co.*, 112 I. C. C. 323.

761. Rate on newsprint paper and printing paper, in carloads, from Port Edwards and Wisconsin Rapids, Wis., to Dallas, Tex., found unreasonable. Reparation awarded.

*Montgomery Cotton Exch. v. L. & N. R. R. Co.*, 112 I. C. C. 325.

762. Rates charged on cotton, in any quantity, from stations south of Montgomery, concentrated and compressed at Montgomery and reshipped to Mobile, Ala., Pensacola, Fla., and New Orleans, La., found legally applicable and not unreasonable. Complaint dismissed.

763. Proposed increased rates on cotton, cotton linters, and regins, in any quantity, from stations south of Montgomery and Selma, Ala., concentrated and compressed at those points and reshipped to Mobile, Ala., Pensacola, Fla., and New Orleans, La., found not justified. Suspended schedules ordered canceled.

*Wright Lumber Co. v. A. A. R. R. Co.*, 112 I. C. C. 337.

764. Rates on compo-board from Minneapolis, Minn., to New Rochelle and New York, N. Y., during the period from May 26, 1921, to August 27, 1923, found unduly prejudicial. Reparation denied for lack of proof of damage.

*Lafayette Lumber Co. v. S. Ry. Co.*, 112 I. C. C. 341.

765. Shipments of ties, in carloads, from certain points in Virginia to Canton, Ohio, found to have been overcharged in one instance and to have been misrouted in others. Reparation awarded.

*Sioux City Gas & Electric Co. v. C., B. & Q. R. R. Co.*, 112 I. C. C. 344.

766. Rate on petroleum refined-oil distillate, in tank-car loads, from Casper, Wyo., to Sioux City, Iowa, found applicable and not unreasonable. Complaint dismissed.

*Sugar from Key West*, 112 I. C. C. 347.

767. Application for authority to establish a lower rate on sugar from Key West, Fla., imported from Cuba, to Jacksonville, Fla., than to intermediate points, denied.

*Associated Oil Co. v. A. E. R. R. Co.*, 112 I. C. C. 350.

768. Rates on fuel oil from the mid-continent field and from Southern California to destinations in Arizona and New Mexico found not unreasonable.

769. Relationship of fuel-oil rates from southern California to Arizona with those from the mid-continent field to the same destinations found not unduly prejudicial, with the exception of the rates on fuel oil from Galveston and other points in Texas to Douglas and Bisbee, Ariz.

770. Rates on refined oil from the mid-continent field to Arizona and New Mexico, from southern California to Arizona, and from El Paso to certain destinations in those States found unreasonable.

771. Reasonable rates prescribed for the future and reparation awarded.

*Bituminous coal from Illinois*, 113 I. C. C. 369.

772. Proposed reduced rates on coal, in carloads, from Springfield and River-ton, Ill., to Keokuk, Iowa, Hannibal, Mo., and other destinations found not justified, except reduced rates of the Cleveland, Cincinnati, Chicago & St. Louis Railway Co. Suspended schedules of other respondents ordered canceled and proceeding discontinued.



*Diversion and reconsignment of anthracite coal*, 112 I. C. C. 374.

773. Proposed cancellation of free diversion or reconsignment of anthracite coal at Detroit, Milwaukee Junction, West Detroit, and Port Huron, Mich., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Huntington Engineering Co. v. C. & P. Teleph. Co.*, 112 I. C. C. 377.

774. Motion of defendant to dismiss for want of jurisdiction complaint that a cash deposit to secure payment of bills for telephone services, in part interstate, is unjust, unreasonable, and unduly prejudicial, denied.

775. Defendant's rules and regulations requiring such deposit defective for want of definiteness, but the amount of the deposit required of complainant found not unreasonable or unduly prejudicial.

776. Complaint dismissed.

*Procter & Gamble Co. v. A. & V. R. R. Co.*, 112 I. C. C. 381.

777. Rates on rosin, in carloads, from points in South and Southeast to Hamilton, Ontario, Canada, and failure of defendants to provide transit arrangements thereon at Ivorydale, Ohio, found not unreasonable, unduly prejudicial, or otherwise unlawful. Complaint dismissed. Portions of certain fourth-section applications denied.

*Gunther & Co. v. L. & N. R. R. Co.*, 112 I. C. C. 387.

778. Rate charged on baled cotton, in carloads, transported over an interstate route from Brownsville, Tenn., to Delano, Tenn., found to have been inapplicable. Reparation awarded.

*Potatoes from Colorado*, 112 I. C. C. 389.

779. Proposed rates on potatoes, in carloads, from certain points in Colorado on the Denver & Rio Grande Western to certain destinations in Texas on the Texas & Pacific found justified. Order of suspension vacated and proceeding discontinued.

*Hulsey-Bessent Co. v. S. A. L. Ry. Co.*, 112 I. C. C. 392.

780. Rate on cantaloupes, in carloads, from Rocky Ford, Colo., to Jacksonville, Fla., found unreasonable. Reparation awarded.

*Thompson, Weinman & Co. v. W. & A. R. R. Co.*, 112 I. C. C. 395.

781. Rate on ground limestone, in carloads, from Cartersville, Ga., to Cuyahoga Falls, Ohio, found unreasonable. Reparation awarded.

*Dees v. M. & O. R. R. Co.*, 112 I. C. C. 397.

782. Rate charged on four carloads of horses and mules from National Stock Yards, Ill., to Philadelphia, Miss., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Crook, Son & Co. v. C., I. & W. R. R. Co.*, 112 I. C. C. 399.

783. Rate charged on two carloads of logs from Cottage Grove, Ind., to Hicksville, Ohio, found unreasonable. Reparation awarded.

*Pensacola Cooperage Co. v. L. & N. R. R. Co.*, 112 I. C. C. 401.

784. Rate on barrel staves and headings, in carloads, from Camden, Ala., to Pensacola, Fla., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Joint passenger train service*, 112 I. C. C. 403.

785. Proposed modified joint passenger-train service and division of earnings therefrom found to be in the interest of economy of operation, not unduly to restrain competition, and to be upon just and reasonable terms and conditions. Prior report, 107 I. C. C. 493.

*Bimel Spoke & Auto Wheel Co. v. L. E. & W. R. R. Co.*, 112 I. C. C. 405.

786. Upon further hearing, findings in original report, 95 I. C. C. 9, affirmed.

*Baker & Holmes Co. v. I. C. R. R. Co.*, 112 I. C. C. 407.

787. Rate charged on a carload of asphalt shingles and prepared roofing shipped from New Orleans, La., to Palatka, Fla., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Rockstroh & Co. v. C. of G. Ry. Co.*, 112 I. C. C. 409.

788. Rates on imported burlap bagging, in bales, in carloads, from private warehouses in Savannah, Ga., to Chicago, Ill., and Milwaukee, Wis., in August, 1921, found unreasonable. Reparation awarded.

*Clements Paper Co. v. T. C. Ry. Co.*, 112 I. C. C. 411.

789. Rate on printing paper other than newsprint, in carloads, from Spring Grove, Pa., to Nashville, Tenn., found unreasonable, unduly prejudicial, and to have been in violation of the fourth section. Reparation awarded to basis of rate found reasonable. No damage shown to have resulted from undue prejudice or fourth-section violation.

*Hector Lumber Co. v. C., M. & St. P. Ry. Co.*, 112 I. C. C. 418.

790. Reparation awarded on account of damages due to the misrouting of, and the illegal demurrage charges collected on, a carload of lumber from Aberdeen, Miss., to Chicago, Ill.

*Midcontinent oil rates, 1925*, 112 I. C. C. 421.

791. Proposals embodying changes in the oil-rate groups of the mid-continent field in Kansas, Missouri, Oklahoma, Arkansas, Louisiana, and Texas on traffic to and beyond Kansas City and St. Louis, Mo., disapproved.

792. Reasonable and nonprejudicial rates or bases of rates on gasoline and other petroleum products now taking the same rates, in carloads, from points in Missouri, Kansas, Oklahoma, Arkansas, Louisiana, and Texas, to destinations in western trunk-line territory, Illinois, Indiana, and the northern peninsula of Michigan, found and prescribed. Proceedings held open for further consideration of rates to northern Nebraska, South Dakota, North Dakota, and northern Minnesota.

793. Basis of maximum reasonable rates on fuel oil and other low-grade petroleum products taking the same rates, in carloads, from and to the same points, prescribed.

*Indiana Chamber of Commerce v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 481.

794. Upon further consideration of the record, findings in original report, 96 I. C. C. 485, modified. Reasonable and nonprejudicial rates on petroleum products, in carloads, from points in Oklahoma to destinations in Indiana, prescribed.

*Sulphur from Baltimore*, 112 I. C. C. 485.

795. Proposed increased rates on sulphur, in carloads, from Baltimore, Md., to Hamilton, Ontario, Canada, found not justified. Suspended schedules ordered canceled.

*N. W. Oil Co. v. St. L.-S. F. Ry. Co.*, 112 I. C. C. 488.

796. Rates on gasoline, in carloads, from Peckham, Okla., to Port Arthur, Ontario, Canada, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Tenn. Electric Power Co. v. L. & N. R. R. Co.*, 112 I. C. C. 491.

797. First-class rating, in southern classification, on transformer cores, in carloads, shipped from Ocoee, Tenn., to Pittsfield, Mass., found unreasonable to the extent it exceeds fifth class. Rate charged on one carload of transformer cores from Ocoee to Pittsfield found unreasonable. Reparation awarded.

798. Fourth-section relief denied.

*Stauffer Chemical Co. v. H. & B. V. R. R. Co.*, 112 I. C. C. 495.

799. Rate charged on crude ground sulphur, in carloads, from Freeport, Tex., to Elyria, Ohio, found unreasonable. Reparation awarded.

*Athletic Mining & Smelting Co. v. F. S. & W. Ry. Co.*, 112 I. C. C. 497.

800. Rates on crude mine-run fire clay, in carloads, from St. Louis and Clayton, Mo., to South Fort Smith and Van Buren, Ark., found unreasonable. Reparation awarded.

*Automatic train-control devices*, 112 I. C. C. 501.

801. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved except as indicated.

802. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Wertheim Coal & Coke Co. v. L. V. R. R. Co.*, 112 I. C. C. 513.

803. Upon further hearing reparation awarded on shipment of anthracite coal, in carloads, from points in the Lehigh and Wyoming regions of Pennsylvania to Jersey City, N. J., during the statutory period. Original report, 62 I. C. C. 211.

*Garrett & Co. v. N. Y. C. R. R. Co.*, 112 I. C. C. 519.

804. Rates on wine, in bulk in barrels, and in tank cars, from St. Louis, Mo., and Sandusky, Ohio, to Brooklyn, N. Y., found not unreasonable. Complaint dismissed.

*Metal & Thermit Corp. v. C. R. R. Co. of N. J.*, 112 I. C. C. 523.

805. Rates on tin-plate scrap, in carloads, from Baltimore, Md., to Carteret and Sewaren, N. J., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Pacific Coast Shippers' Asso. v. A., C. & Y. Ry. Co.*, 112 I. C. C. 527.

806. Rates charged on lumber and other forest products in carloads from points in Washington, Oregon, Idaho, Montana, and British Columbia, to destinations in Indiana, Michigan, and Ohio, found illegal in some instances and legal in others. Refund of overcharges directed. Complaint dismissed.

*Burlington Shippers' Asso. v. C., B. & Q. R. R. Co.*, 112 I. C. C. 533.

807. Class rates on tinware, in carloads, from Chicago, Rockford, and Waukegan, Ill., Milwaukee, Wis., and points taking the same rates, to Burlington and Keokuk, Iowa, found not unreasonable. Maintenance of lower commodity rates from the same points to St. Louis, Mo., and Quincy, Ill., would subject Burlington and Keokuk to undue prejudice and disadvantage, and give to St. Louis and Quincy an undue preference and advantage.

808. The St. Louis basis of commodity rates on tinware found to be now applicable from the points of origin named to Burlington and Keokuk under existing tariffs, properly construed.

*Miller v. I. & G. N. Ry. Co.*, 112 I. C. C. 538.

809. Refrigeration charges on spinach, in carloads, from certain points in Texas to certain eastern destinations found not unreasonable. Complaints dismissed.

*Taylor Co. v. P. R. R. Co.*, 112 I. C. C. 541.

810. Joint rates on iron and steel articles, in carloads, from Cleveland, Youngstown, Girard, and Warren, Ohio, to Black Rock and Buffalo, N. Y., found unreasonable. Reparation awarded.

*Brown v. C., R. I. & P. Ry. Co.*, 112 I. C. C. 545.

811. Refrigeration charges on cantaloupes, in carloads, from Heber, Calif., to interstate destinations in the United States and to destinations in Canada found lawful. Complaint dismissed.

*Fitch & Wilkinson v. N. Y. C. R. R. Co.*, 112 I. C. C. 547.

812. Sixth-class rate on mixed-carload shipments of pears, apples, and cabbage from Wilson, N. Y., to Jacksonville, Fla., found unreasonable to the extent it exceeded the contemporaneously applicable lower commodity rate between the same points on mixed-carload shipments of apples, cabbage, and other vegetables, excluding pears, which was subsequently made also to include pears. Reparation awarded.

*Chattanooga Wheelbarrow Co. v. N., C. & St. L. Ry.*, 112 I. C. C. 549.

813. Charges assessed on two carloads of wheelbarrows shipped from Chattanooga, Tenn., to Los Angeles, Calif., found not unreasonable but found unduly prejudicial. Undue prejudice ordered removed. Reparation denied.

*Drake Produce Co. v. O. S. L. R. R. Co.*, 112 I. C. C. 551.

814. Rate charged on two carloads of fresh peaches, in baskets, from Emmett, Idaho, to Miami, Fla., found unreasonable, but not otherwise unlawful. Reparation awarded.

*Swift & Co. v. N. Y. C. R. R. Co.*, 112 I. C. C. 554.

815. Rate charged on humidors, in carloads, from Swanton, Ohio, to Chicago, Ill., found unreasonable. Reparation awarded.



*Bunte Bros. v. C. & N. W. Ry. Co.*, 112 I. C. C. 557.

816. Rate charged on a shipment of candy from Chicago, Ill., to Portland, Oreg., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Dow Chemical Co. v. P. M. Ry. Co.*, 112 I. C. C. 559.

817. Rates applicable on caustic soda and calcium chloride, in carloads, shipped from Midland, Mich., to destinations in Oklahoma, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Green Bay Lumber Co. v. C., B. & Q. R. R. Co.*, 112 I. C. C. 562.

818. Rates on two carloads of coal from Christopher, Ill., to Malvern, Iowa, found unreasonable. Reasonable rate prescribed and reparation awarded.

*Herrick Hardware Co. v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 565.

819. Rates on small-arms ammunition, in carloads, from Bridgeport and New Haven, Conn., to Palestine, Austin, Waco, Corsicana, Tyler, Marshall, and Pittsburg, Tex., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Rinelli v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 567.

820. Alleged failure of defendant to notify complainant of the refusal of a shipment of onions from Buffalo, N. Y., to Providence, R. I., found not to constitute a violation of section 3 of the act. Complaint dismissed.

*Wichita Chamber of Commerce v. A. & V. Ry. Co.*, 112 I. C. C. 569.

821. Rates on cast-iron pipe and fittings, in carloads, from points in Alabama, Georgia, Tennessee, and North Carolina to Wichita, Kans., found not unreasonable but unduly prejudicial. Basis prescribed for the future. Reparation denied.

*Colgate & Co. v. N. Y. C. R. R. Co.*, 112 I. C. C. 573.

822. Rates on soap, soap powder, and washing, cleaning, and scouring compounds, in carloads, from complainant's pier at the foot of Sussex Street, Jersey City, N. J., within the lighterage limits of Greater New York, to various destinations in Massachusetts, Rhode Island, and New Hampshire, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Stern-Kauders Co. v. U. S. War Department*, 112 I. C. C. 580.

823. Charges collected on cottonseed linters, in carloads, from Memphis, Tenn., to Chicago, Ill., found inapplicable and unreasonable. Reparation awarded.

*Car trucks to Atlantic seaboard for export*, 112 I. C. C. 583.

824. Proposed reduced rates on car trucks without journal bearings, in carloads, from points in central and trunk-line territories to Atlantic seaboard for export found not unreasonable but unduly prejudicial. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our finding herein.

*Standard Paint Co. v. Director General*, 112 I. C. C. 589.

825. Rates on prepared roofing, asphalt shingles, roofing and building paper, and certain other related articles, from various producing points in central, Buffalo-Pittsburgh, and trunk-line territories to southern territory, and from points in trunk-line territory to Virginia and West Virginia, found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future. Reparation denied.

*Shores-Mueller Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 603.

826. Rates on fuel oil, in tank-car loads, from Kansas City, Mo., and points in Oklahoma to Cedar Rapids, Des Moines, and Waterloo, Iowa, found unreasonable and unduly prejudicial. Reparation awarded.

*White Eagle Oil & Refining Co. v. D. & R. G. W. R. R. Co.*, 112 I. C. C. 605.

827. Rates on petroleum products, including lubricating oils and greases, from points in Kansas, Oklahoma, Texas, and Wyoming to points on the Denver & Rio Grande Western Railroad in Colorado found unjust and unreasonable. Reasonable rates prescribed and reparation awarded.

*Fones Bros. Hardware Co. v. C., R. I. & P. Ry. Co.*, 112 I. C. C. 611.

828. Rate on one less-than-carload shipment of iron bolts and nuts from Milldale, Conn., to Little Rock, Ark., in July, 1922, found inapplicable and unlawful. Reparation awarded.

*Alexandria Refining Co. v. M. P. R. R. Co.*, 112 I. C. C. 613.

829. Rate charged on carload shipments of crude and fuel oils from El Dorado, Norphlet, and Smackover, Ark., to Alexandria, La., found not unreasonable. Complaint dismissed.

*Tenn. Overall Co. v. S. Ry. Co.*, 112 I. C. C. 616.

830. Rates on cotton denims, any quantity, from Greensboro, N. C., to Tullahoma, Tenn., found to have been unreasonable. Reparation awarded.

*Reliance Brick Co. v. St. L.-S. F. Ry. Co.*, 112 I. C. C. 619.

831. Rate on face brick, in carloads, from Wichita Heights, Kans., to Wellington, Tex., found unreasonable. Reparation awarded.

*Zaring & Co. v. N. Y. C. R. R. Co.*, 112 I. C. C. 621.

832. Rate charged on a carload of canned vegetables, in tin and glass, from Albion, N. Y., to Jacksonville, Fla., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Ames & Co. v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 624.

833. Rates on worn-out autotruck rims with solid rubber tires attached, in carloads, from points on the New York, New Haven & Hartford Railroad in New York, Connecticut, Rhode Island, and Massachusetts to Jersey City, N. J., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed.

*Kellogg & Sons v. D., L. & W. R. R. Co.*, 112 I. C. C. 629.

834. Upon further hearing, rates on flaxseed, in carloads, from New York Harbor points to Buffalo, N. Y., found unreasonable and reparation awarded. Finding in original report, 77 I. C. C. 249, reversed.

835. Finding in *American Linseed Co. v. E. R. R. Co.*, 91 I. C. C. 663, affirmed on further hearing.

836. Rates on flaxseed, in carloads, from New York Harbor points to Chicago, Ill., and Toledo, Ohio, and from Philadelphia, Pa., to Toledo found unreasonable. Reparation awarded.

*West-Cullum Paper Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 641.

837. Rates on newsprint paper, in carloads, from Millwood, Wash., to Dallas, Tex., found unreasonable, but not unduly prejudicial. Reparation awarded.

*Rumford Chemical Works v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 645.

838. Less-than-carload rating on baking powder, in cans or cartons, in the three classifications found not unreasonable, unjustly discriminatory, or unduly prejudicial.

839. Less-than-carload ratings on baking powder, in glass, in the three classifications, and the carload ratings on baking powder, in glass, in southern and western classifications, and in cans, cartons, or glass, in the official classification, found unreasonable, but not unjustly discriminatory or unduly prejudicial. Reasonable ratings prescribed for the future.

*Foster Lumber Co. v. V. & S. R. R. Co.*, 112 I. C. C. 651.

840. Rates charged on numerous carloads of lumber from Foster, Ore., to destinations in Colorado, Iowa, Kansas, Missouri, Nebraska, Utah, and Wyoming, found unduly prejudicial. Reparation awarded.

*Greenbaum, Weil & Michels v. C. & N. W. Ry. Co.*, 112 I. C. C. 655.

841. Rate on a carload of cotton-warp olive-drab shirting from Chicago, Ill., to San Francisco, Calif., found unreasonable. Reasonable rate for the future prescribed, and reparation awarded.

*Threefoot Bros. & Co. v. G., M. & N. R. R. Co.*, 112 I. C. C. 657.

842. Charges collected on shipments of cotton from Philadelphia, Miss., to Columbus, Aragon, and Social Circle, Ga., found not applicable. Reparation awarded.

*Pfister & Vogel Leather Co. v. E. R. R. Co.*, 112 I. C. C. 659.

843. Complaint alleging collection of unreasonable and discriminatory rates on loose dried horsehides, in carloads, from New York, N. Y., to Milwaukee, Wis., found barred. Complaint dismissed.

*Dutton Lumber Corp. v. Director General*, 112 I. C. C. 661.

844. Rates on timbers, poles, piling, and spars, transported on more than one car, from points in Washington, Oregon, Idaho, Montana, and British Columbia to interstate and Canadian destinations, found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaints dismissed.

845. Rates on single carloads of timbers, poles, or piling from points in Oregon to points in California found unreasonable. Reparation awarded.

846. Elimination of fourth-section departures directed.

*Thames v. Director General*, 112 I. C. C. 677.

847. Refusal of an agent of the director general to reconsign to Syracuse, N. Y., a carload of yellow-pine lumber shipped from Sweetwater, Ala., to Cincinnati, Ohio, and ultimately reconsigned to Detroit, Mich., found to have resulted in the collection of charges for reconsignment, demurrage, and storage that were unjust, unreasonable, and in excess of the charge applicable. Reparation awarded.

*Refiners Oil Co. v. P. R. R. Co.*, 112 I. C. C. 680.

848. Upon further consideration former finding that the rates charged on lubricating oil and gasoline from Burkburnett, West Port Arthur, Wichita Falls, Fort Worth, North Fort Worth, and Houston, Tex., to Dayton, Ohio, were not unreasonable or otherwise unlawful, affirmed. Former report, 102 I. C. C. 249.

*Cotton Mfrs. Asso. v. C. & O. Ry.*, 112 I. C. C. 683.

849. Upon further hearing reparation awarded on shipments of bituminous coal, in carloads, from mines on the Carolina, Clinchfield & Ohio and Virginia & Southwestern Railways in Virginia to Spartanburg and other points in South Carolina taking same or related rates. Former reports herein, 37 I. C. C. 652, 53 I. C. C. 741, 57 I. C. C. 584, 64 I. C. C. 633, and 85 I. C. C. 131.

*United Chem. & Org. Products Co. v. Director General*, 112 I. C. C. 687.

850. Upon further hearing, reparation awarded for the service of spotting certain interstate carload shipments performed by complainants. Previous reports. 60 I. C. C. 523 and 73 I. C. C. 100.

*Armour & Co. v. L. & N. R. R. Co.*, 112 I. C. C. 695.

851. Rates on canned meats, in carloads, from Atlanta, Ga., to Chicago, Ill., found unreasonable. Reasonable rates prescribed for the future. Reparation awarded. Original report, 93 I. C. C. 360.

*Rough stone from St. Louis*, 112 I. C. C. 700.

852. Proposed increased rates on rough stone from St. Louis, Mo., to Carthage, Mo., moving in interstate traffic, found justified. Order of suspension vacated and proceeding discontinued.

*Peters Mill Co. v. L. V. R. R. Co.*, 112 I. C. C. 703.

853. Rates on imported burlap, in carloads, from New York, N. Y., and Jersey City, N. J., to Omaha, Nebr., found not unreasonable. Complaint dismissed.

*Oil Well Improvement Co. v. A. T. & S. F. Ry. Co.*, 112 I. C. C. 705.

854. Rates on coke, in carloads, from Brookwood, Dolcito Junction, and Bradford, Ala., to Collinsville, Okla., found unreasonable. Reparation awarded.

*Gwin, White & Prince v. N. Y., N. H. & H. R. R. Co.*, 112 I. C. C. 707.

855. Charge collected for switching at Boston, Mass., a carload of apples shipped from Peshastin, Wash., to Tampa, Fla., and reconsigned to Boston, found inapplicable. Reparation awarded.

*Cottonseed to Cairo*, 112 I. C. C. 709.

856. Proposed joint distance commodity rates on cottonseed, in carloads, from Campbell, Illmo, La Forge, Libbourn, New Madrid, Randles, and Zeta, Mo., to Cairo, Ill., found justified. Order of suspension vacated.



857. Proposed joint distance commodity rates on cottonseed, in carloads, from Benton, Cape Girardeau, Commerce, McBride, Menfro, Neelys, Seventy-Six, and Wittenberg, Mo., to Cairo, Ill., found not justified. Suspended schedules ordered canceled without prejudice to the filing of schedules in conformity with the findings herein.

*Cotton from New Mexico points*, 112 I. C. C. 712.

858. Proposed increased rates on export cotton from points in New Mexico to New Orleans, La., found justified. Order of suspension vacated and proceeding discontinued.

*Baggage from southern points*, 112 I. C. C. 717.

859. Proposed schedules denying to owners of traveling tent shows who engage special baggage cars the right to check, in regular passenger service, the usual 150 pounds of baggage allowed on each adult ticket found not justified.

*Zulfer & Co. v. Director General*, 112 I. C. C. 723.

860. Rates on celery, in carloads, and on one mixed carload of celery and green peppers from points in Florida to Chicago, Ill., found not unreasonable or illegal. Complaint dismissed.

861. Fourth-section relief denied.

*Miller Lumber Co. v. O.-W. R. R. & N. Co.*, 112 I. C. C. 727.

862. Rates charged on fir lumber, in carloads, from Ostrander, Wash., to Manchester, Ohio, found not to have been in excess of that applicable. Complaint dismissed.

*Sheffield Co. v. B. S. R. R. Co.*, 112 I. C. C. 729.

863. Rates on woven-wire fencing, in carloads, from Fairfield, Ala., to Americus, Ga., found unreasonable but not unduly prejudicial. Reparation awarded.

*Indian Refining Co. v. L. & N. R. R. Co.*, 112 I. C. C. 732.

864. On shipments of crude and refined petroleum in tank-car loads from points in Kentucky, Kansas, and Oklahoma to Lawrenceville, Ill., and Toledo and Findlay, Ohio, combinations of proportional and local rates to and from certain intermediate points, subject to the so-called combination rule, would have produced lower charges than combinations of proportional rates to and from the same intermediate points, not subject to the said rule. *Found*, That the higher combinations of proportional rates were applicable. Complaints dismissed.

*Sandusky Cement Co. v. P. R. R. Co.*, 112 I. C. C. 737.

865. On a carload of cement from York, Pa., to Cape Girardeau, Mo., a combination of two local rates to and from an intermediate point, subject to the so-called combination rule, would have produced a lower charge than a combination of a local and a proportional rate to and from the same intermediate point, not subject to the said rule. Following *Indian Refining Co. v. L. & N. R. R. Co.*, 112 I. C. C. 732; *Found*, That the higher combination of the local and the proportional rate was applicable. Reparation awarded to the extent that the rate charged exceeded that found applicable.

*Black Steel & Wire Co. v. A., T. & S. F. Ry. Co.*, 112 I. C. C. 739.

866. Rates on wire rods, in coils, in carloads, from Chicago, Acme, and Peoria, Ill., Black Rock and Harriet, N. Y., Portsmouth and New Boston, Ohio, and Johnstown, Pittsburgh, and Monessen, Pa., to Kansas City, Mo., found not unreasonable or otherwise unlawful. Complaint dismissed. Former report, 95 I. C. C. 161.

*Joslyn Mfg. & Supply Co. v. C. & E. I. Ry. Co.*, 112 I. C. C. 743.

867. Rate on wooden insulator pins, in carloads, from Chicago, Ill., to New Orleans, La., found unreasonable. Reasonable rates prescribed. Reparation awarded.

*Dillon v. C., C., C. & St. L. Ry. Co.*, 112 I. C. C. 745.

868. Complainant alleging overcharge on a carload shipment of gasoline from Cushing, Okla., to Hudson, Mich., found to be barred. Complaint dismissed.

*Irvin v. P. R. R. Co.*, 112 I. C. C. 746.

869. Rates charged on carload shipments of lumber and paving blocks from East End and Buick, Mo., to Toledo, Ohio, and Indianapolis, Ind., found inapplicable. Reparation awarded.

*Day Co. v. Director General*, 112 I. C. C. 749.

870. Rates charged on glass lighting bowls, lamp globes, and shades, in less than carloads, from points in eastern transcontinental groups to San Francisco, Calif., from March 15, 1918, to March 14, 1921, found applicable except as noted. Complaint dismissed.

*Yakima Grocery Co. v. O.-W. R. R. & N. Co.*, 112 I. C. C. 751.

871. Rates charged on seven carloads of medicinal sheep salt from Salt Lake City, Utah, to destination in Washington, Oregon, Idaho, and Montana found applicable and not unreasonable. Complaint dismissed.

*Bertha Mineral Co. v. B. & O. R. R. Co.*, 112 I. C. C. 754.

872. Interstate rates on sulphuric acid, in tank-car loads, from Tiltonville, Ohio, to points in the Wheeling, W. Va., Youngstown, Ohio, and Pittsburgh, Pa., districts found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed.

*Armour & Co. v. Director General*, 113 I. C. C. 1.

873. Rate charged on a carload of eggs from Fremont, Nebr., to Phoenix, Ariz., in August, 1919, found applicable. Complaint dismissed.

*Revenues in western district*, 113 I. C. C. 3.

874. Upon applications of the carriers in the western district seeking increases in freight rates, generally averaging 5 per cent, with exceptions as to certain commodities, being predicated on the alleged existence of an emergency in that district, found that the showing as to emergency does not warrant the increases as sought.

875. Record held open for further consideration in connection with No. 17000 and related proceedings.

*Commodities between New England points*, 113 I. C. C. 44.

876. Proposed increased rates for the interstate transportation of scrap or waste paper, in carloads, from and to stations on respondents' lines in New England found not justified, except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our conclusions herein.

877. Increased rates on imported papermaker's clay and scrap or waste paper, in carloads, which became effective March 15, 1926, from and to stations on respondent's lines in New England, found unreasonable.

*Ariz. Corp. Commission v. A. F. R. R. Co.*, 113 I. C. C. 52.

878. Class rates between points in Arizona, on the one hand, and points in California and New Mexico and El Paso, Tex., on the other hand, found unreasonable. Reasonable rates prescribed for the future.

*Denver & Rio Grande investigation*, 113 I. C. C. 75.

879. Inquiry and investigation made into history, accounts, and practices of the Western Pacific, Denver & Rio Grande, and affiliated lines, facts considered, and conclusions found.

*Lincoln Chamber of Commerce v. A. C. R. R. Co.*, 113 I. C. C. 161.

880. Rates on coal, in carloads, from mines in Kansas, Missouri, Arkansas, and Oklahoma to Lincoln and Havelock, Nebr., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial basis of rates prescribed. Findings in 89 I. C. C. 73 affirmed, and those in 101 I. C. C. 759 reversed in part.

881. Certain fourth-section relief granted to carriers participating in the circuitous routes over the Chicago, Rock Island & Pacific to Lincoln and Havelock.

*Lindsley Bros. Co. v. G. N. Ry. Co.*, 113 I. C. C. 166.

882. Rates charged on one car of poles shipped from Minneapolis, Minn., to Zwingle, Iowa, on June 25, 1924, originally shipped from Colville, Wash., to Minneapolis, found not unreasonable, unjustly discriminatory, or unduly prejudicial, except the local rate of 18.5 cents from Minneapolis to Zwingle, which

was unduly prejudicial prior to June 15, 1925. Reparation denied and complaint dismissed.

*Southwestern brick cases*, 113 I. C. C. 169.

883. Finding in the original report, 107 I. C. C. 681, with respect to method of computing distances modified to the extent indicated herein.

*Southworth & Son v. N. Y., N. H. & H. R. R. Co.*, 113 I. C. C. 171.

884. Rates charged on two cars of granite from Quincy Adams, Mass., to Plymouth, Ind., and Keokuk, Iowa, found applicable. Complaints dismissed.

*Getz v. T., K. & N. R. R. Co.*, 113 I. C. C. 173.

885. Rates charged on live poultry, in carloads, from a number of points in Tennessee to New York, N. Y., found unreasonable. Reparation awarded.

*Ransom & Co. v. L. & N. R. R. Co.*, 113 I. C. C. 177.

886. Rate charged on a carload of lumber from Nashville, Tenn., to Montreal, Quebec, found to have been in excess of that applicable. Reparation awarded.

*Drayage absorptions*, 113 I. C. C. 179.

887. Southwest Missouri Railroad tariff providing for certain absorptions of drayage charges on ore from the Picher, Okla., district found to be in violation of sections 2 and 6 of the interstate commerce act. Tariff ordered canceled and proceeding discontinued.

*Western Bridge & Construction Co. v. C., B. & Q. R. R. Co.*, 113 I. C. C. 192.

888. Complaint, which alleges unreasonableness and unlawfulness in the through rate applicable on bridge and structural material from Chicago, Ill., fabricated in transit at Red Oak, Iowa, and forwarded thence to Bloomfield, Nebr., dismissed.

*Grain and related articles to Texas*, 113 I. C. C. 195.

889. Proposed restriction to transcontinental routing of the application of the transcontinental Deming, N. Mex., rates as maxima on grain and related articles from defined territories to all destinations in Texas found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Southern class rate investigation*, 113 I. C. C. 200.

890. Finding 14 at page 312 of supplemental report, 109 I. C. C. 300, modified to provide that in computing distances the shortest routes shall be used over which carload traffic can be moved without transfer of lading. Further found that distance scale set forth in Appendix K-1 of said supplemental report should be slightly increased, as set forth in Appendix K-2 herein.

*Grain and its products to Arkansas*, 113 I. C. C. 209.

891. Proposed increased rates on grain and its products, in carloads, from Omaha and South Omaha, Nebr., Council Bluffs and Des Moines, Iowa, when from beyond, and from stations on the Illinois Central to destinations in Arkansas, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Sonderson Cyclone Drill Co. v. P. R. R. Co.*, 113 I. C. C., 213.

892. Rate charged on bar steel, in carloads, from Pittsburgh and South Duquesne, Pa., to Orrville, Ohio, found unreasonable to the extent that it exceeded the aggregate of the intermediate rates to and from Youngstown, Ohio. Reparation awarded.

*Allen v. B. & M. R. R.*, 113 I. C. C. 215.

893. Rates on tanning extracts and materials, in carloads, from New York, N. Y., and other eastern seaboard points to Buford, Ga., found unreasonable prior to August 1, 1924, but not unreasonable on and since that date. Reparation awarded.

*Hogan Bros. v. C., B. & Q. R. R. Co.*, 113 I. C. C. 223.

894. Charges collected on a carload shipment of wheat bran and wheat shorts originating at Wray, Colo., and reshipped November 20, 1924, from Kansas City, Mo., to Atlanta, Ga., found not unlawful. Complaint dismissed.



*Peninsular Stove Co. v. M. C. R. R. Co.*, 113 I. C. C. 225.

895. Failure to provide a rule in connection with the rate on stoves, including gas ranges, in carloads, from Detroit, Mich., to Los Angeles, Calif., and other western points found unduly prejudicial, but not unreasonable or unjustly discriminatory. Undue prejudice ordered removed.

*Nuckolls Packing Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 229.

896. Rates on fresh meats and packing-house products, in carloads and less than carloads, from Pueblo, Colo., to destinations in New Mexico found unreasonable and unduly prejudicial. Reparation awarded.

*Hodgson-Davis Grain Co. v. C., B. & Q. R. R. Co.*, 113 I. C. C. 234.

897. Shipments of wheat, in carloads, from St. Francis, Kans., to Wausau, Wis., found misrouted and applicable rate found unreasonable. Reparation awarded.

*Brooks-Scanlon Corp. v. A. C. L. R. R. Co.*, 113 I. C. C. 237.

898. Reparation awarded for straight overcharges on five carloads of heavy machinery which moved in the years 1923 and 1925 from Duluth, Minn., to Scanlon, Fla.

*Sewer pipe and related articles from Iowa*, 113 I. C. C. 239.

899. Reduced rates on sewer pipe, wall coping, and flue lining, in carloads, from Fort Dodge and other producing points in Iowa to destinations in Illinois, Wisconsin, and Minnesota found justified.

*Proportional rates between New Albany and Louisville*, 113 I. C. C. 243.

900. Proposed changes in the application of proportional rates between New Albany, Ind., and Louisville, Ky., effecting increased rates on carload and less-than-carload traffic, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Automatic train-control devices*, 113 I. C. C., 245.

901. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

902. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Duthie & Co. v. Director General*, 113 I. C. C. 255.

903. Rates charged on carload shipments of marine engines and marine-engine parts from Corliss, Wis., and other eastern points of origin to Seattle, Wash., during the period of Federal control, found not illegal. Complaint in No. 16639 dismissed.

904. Complaint in No. 16639 (Sub-No. 1) for alleged overcharges on carload shipments of marine engines from Hamilton, Ohio, to Portland, Oreg., during the period November 16, 1920, to April 28, 1921, inclusive, found barred by the statute of limitations. Complaint dismissed.

*Grain and grain products to Louisiana*, 113 I. C. C. 259.

905. Proposed reduced rates on grain and grain products, in carloads, from points in Nebraska, Iowa, Illinois, Missouri, Kansas, Oklahoma, and Arkansas to destinations in Louisiana found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules establishing the proposed reduced rates applicable over routes through both Arkansas and Texas.

*Olivitt Bros. v. N. & P. B. L. R. R. Co.*, 113 I. C. C. 262.

906. Carload of fresh tomatoes from Palmetto, Fla., to Norfolk, Va., reconsigned to New York, N. Y., found not misrouted. Combination rate based on Norfolk found applicable and not unreasonable. Complaint dismissed.

*Falcon Zinc Co. v. N. E. O. R. R. Co.*, 113 I. C. C. 265.

907. Rates on zinc ore, in carloads, from certain points in Kansas and Oklahoma to Van Buren, Ark., found not unjustly discriminatory and no damage shown to have resulted from the undue prejudice shown to have existed. Complaint dismissed.

*Everist & Co. v. C. & N. W. Ry. Co.*, 113 I. C. C. 267.

908. Rate on crushed stone, in carloads, from New Ulm, Minn., to Holstein, Iowa, found not unreasonable. Complaint dismissed.

*Armstrong Cork Co. v. S. A. & A. P. Ry. Co.*, 113 I. C. C. 269.

909. Less-than-carload shipment of cotton duck from Gonzales, Tex., to Lancaster, Pa., found not misrouted. Complaint dismissed.

*Lynchburg Chamber of Commerce v. N. Y., N. H. & H. R. R. Co.*, 113 I. C. C. 270.

910. Rate on cotton piece goods from Norwich, Conn., and Canton, Mass., to Lynchburg, Va., found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Stewart & Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 275.

911. Rate on high explosives, in carloads, from Herpoco and Nitro, Calif., to Tonopah, Nev., found not unreasonable. Complaint dismissed.

*Robinson v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 280.

912. Rates on green or green salted hides, pelts, skins, grease, and tallow, in straight or mixed carloads, from Norfolk, Nebr., to Chicago, Ill., and points taking same rates found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

*Alabama-Georgia Syrup Co. v. A. C. L. R. R. Co.*, 113 I. C. C. 283.

913. Rate on sirup, in carloads, from Montgomery, Ala., to Tampa, Fla., found unreasonable. Reasonable rate prescribed.

*Keokuk Shippers' Asso. v. B. Ry. Co.*, 113 I. C. C. 286.

914. Rates on newsprint paper, in carloads, from Merrill, Wis., and other producing points in Wisconsin and from points of production in Minnesota to Keokuk, Iowa, found not unreasonable, but found unduly prejudicial. Undue prejudice ordered removed. Reparation denied.

*Potatoes to Missouri*, 113 I. C. C. 289.

915. Proposed increased rates on potatoes, in carloads, from western trunk-line territory to points in Missouri found not justified. Schedules ordered canceled and proceeding discontinued.

*Chicago Board of Trade v. C., B. & Q. R. R. Co.*, 113 I. C. C. 295.

916. Rates on grain, in carloads, from points in northern Illinois and southern Wisconsin on certain lines of the Illinois Central and the Chicago, Burlington & Quincy to the Chicago, Ill., district, and on feed, in carloads, in the reverse direction, found not unreasonable or unduly prejudicial. Complaint dismissed.

*Augusta v. A. C. L. R. R. Co.*, 113 I. C. C. 303.

917. Application of ratings provided by the southern classification and notes A and 4 of exceptions thereto in connection with rates on classes 1 to D, both inclusive, from Augusta, Ga., to points in South Carolina within a radius of 100 miles from Augusta found not to result in unreasonable charges, but as compared with ratings provided in note 53 exceptions governing the rates to the same points on intrastate traffic in South Carolina, found to result in undue prejudice to Augusta and shippers there located, in undue preference of points in South Carolina, and in unjust discrimination against interstate commerce. Except as indicated rates and ratings assailed found not unlawful. Record held open to enable parties to agree upon a means of removing the undue prejudice and unjust discrimination found to exist.

*Peppard Seed Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 309.

918. Rate on alfalfa seed, in carloads, from Clayton, N. Mex., to Kansas City, Mo., found unreasonable. Reparation awarded.

*Algoma Lumber Co. v. Director General*, 113 I. C. C. 311.

919. Rate charged on less-than-carload shipment of malleable link belting from Indianapolis, Ind., to Algoma, Oreg., found inapplicable. Applicable rate found not unreasonable. Reparation awarded.

*Theater chairs from various points*, 113 I. C. C. 313.

920. Proposed increased minimum weight on theater chairs, set up or knocked down, in straight or mixed carloads, or in mixed carloads with certain articles of furniture and furniture parts, from points in certain defined territories to Texas Gulf ports and El Paso, Tex., and points taking the same rates, and to

Oklahoma, and on traffic originating at or destined to points in Louisiana, northeastern Texas, and Texarkana, Ark.-Tex., found justified except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with the findings.

*Fletcher-Wilson Coffee Co. v. L. & N. R. R. Co.*, 113 I. C. C. 319.

921. Rate on imported green coffee, in carloads, from New Orleans, La., to Montgomery, Ala., found not unreasonable or unduly prejudicial. Complaint dismissed.

*Automatic train-control devices*, 113 I. C. C. 323.

922. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

923. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Spanish River Pulp & Paper Mills v. A. & W. Ry. Co.*, 113 I. C. C. 343.

924. Joint rates on newsprint paper, in carloads, from Espanola, Ontario, Canada, to destinations in Wisconsin, Minnesota, Illinois, Missouri, and Iowa, and to Omaha, Nebr., found in so far as the transportation takes place within the United States, to be unreasonable and unduly prejudicial to the extent that they exceed or may exceed by more than 4 cents per 100 pounds the rates contemporaneously applicable from Sault Ste. Marie, Ontario, to the same destinations.

*New England Paper & Pulp Traffic Asso. v. M. C. R. R. Co.*, 113 I. C. C. 353.

925. Rates on printing paper and wrapping paper, in carloads, from points in New England to Baltimore, Md., found not unreasonable or otherwise unlawful.

926. Rates from the same points to Washington, D. C., found unreasonable to the extent that they exceed the corresponding rates to Baltimore by more than 2 cents per 100 pounds. Reparation awarded.

*Automatic train-control devices*, 113 I. C. C. 359.

927. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

928. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Milne Lumber Co. v. St. L.-S. F. Ry. Co.*, 113 I. C. C. 369.

929. Two carloads of lumber from Grayburg, Tex., to St. Louis, Mo., reconditioned from East St. Louis, Ill., found overcharged. Refund directed and complaint dismissed.

*National Oil Co. v. S. A. L. Ry. Co.*, 113 I. C. C. 371.

930. Rate on petroleum products, in carloads, shipped from Brunswick, Ga., to Richmond, Va., prior to October 12, 1922, found unreasonable. Reparation awarded.

931. Rate on petroleum products, in carloads, shipped from Brunswick, Ga., to Richmond and Petersburg, Va., on and after October 12, 1922, found not unreasonable.

*Transit privileges on grain*, 113 I. C. C. 374.

932. Proposed cancellation of transit arrangement at Denver, Colo., on grain and grain products delivered to the Chicago, Burlington & Quincy Railroad by other carriers at Missouri River points and destined to California and other western States, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Maloney Tank Mfg. Co. v. B. & O. R. R. Co.*, 113 I. C. C. 379.

933. Claim for reparation on carload shipments of steel plates from Indiana, Missouri, and Ohio points to destinations in Wyoming, fabricated in transit at Tulsa, Okla., found barred by statute of limitations. Complaint dismissed.

*Brick and clay products in the South*, 113 I. C. C. 380.

934. Upon further argument, method of compliance with fourth-section order No. 8895 approved, and order modified. Original report 88 I. C. C. 543.



*Burton-Dixie Corp. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 384.

935. Rates on cotton linters, in carloads, from points in Texas, Louisiana west of the Mississippi River, Oklahoma, and Arkansas to numerous destinations in the United States and Canada found not unreasonable or otherwise unlawful. Complaints dismissed.

*McFadden v. Director General*, 113 I. C. C. 387.

936. Former finding in 85 I. C. C. 365 that complainants in Sub-No. 3 were entitled to reparation reversed and their complaint dismissed.

*Fertilizer between southern points*, 113 I. C. C. 389.

937. The general basis of rates on fertilizer and fertilizer materials in southern territory being under consideration; *Found*, That in view of the characteristics of this traffic it is reasonably entitled to a relatively low basis of rates.

938. Maximum reasonable rates based on a distance scale prescribed for uniform application over standard lines between points in southern territory.

939. Certain so-called short or weak lines accorded arbitraries or a percentage over the rates prescribed for standard lines.

940. Undue prejudice found to exist against persons and localities in interstate commerce and unjust discrimination against interstate commerce by reason of the intrastate rates in Alabama.

941. The effective intrastate rates in Georgia and South Carolina found not to be unlawful for the future, except in individual instances.

942. Fourth-section relief granted.

*Dillman Egg Case Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 447.

943. Rates on egg-case material and certain other forest products, in carloads, from Caruthersville, Mo., to points in Iowa, South Dakota, Minnesota, Wisconsin, and Illinois found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed and reparation awarded.

944. Rates on the same commodities from Caruthersville to points in Kansas and Nebraska found not unreasonable or otherwise unlawful.

*Dawson Produce Co. v. A. & V. Ry. Co.*, 113 I. C. C. 454.

945. Upon further consideration, former report, 101 I. C. C. 196, finding the rates on bananas and coconuts, in straight or mixed carloads, from New Orleans, La., and subports taking the same rates, and Gulfport, Miss., to various destinations in Oklahoma and to Arkansas City, Kans., and from New Orleans and subports taking the same rates to certain points in Texas, unreasonable and prescribing reasonable rates affirmed. Award of reparation modified.

*Gugenheim-Goldsmith Co. v. G., H. & S. A. Ry. Co.*, 113 I. C. C. 459.

946. Rates on bananas, in carloads, and bananas and coconuts, in mixed carloads, from New Orleans, La., to San Antonio, Tex., found unreasonable. Reparation awarded and maximum reasonable rates prescribed for the future.

*Great Northern Paper Co. v. B. & A. R. R. Co.*, 113 I. C. C. 463.

947. Rate applicable on newsprint paper, in carloads, from Millinocket and East Millinocket, Me., to Providence, South Providence, and Pawtucket, R. I., found unreasonable. Waiver of undercharges authorized and reparation awarded.

*Nebr. Ry. Com. v. A. & W. Ry. Co.*, 113 I. C. C. 467.

948. Rates on sugar, in carloads, from New Orleans, La., to Superior, Fairbury, Hastings, Grand Island, Columbus, Kearney, Norfolk, North Platte, Scottsbluff, and Crawford, Nebr., found unreasonable and unduly prejudicial as indicated. Non prejudicial rates prescribed for the future.

949. Rates on sugar, in carloads, from California, from Utah-Idaho territory, and from New Orleans to Rapid City, Deadwood, and Lead, S. Dak., not found unreasonable in determined amounts, but found unduly prejudicial as respectively indicated. Nonprejudicial rates prescribed for the future.

*Consolidated Cut Stone Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 480.

950. Rates on certain kinds of stone, in carloads, from Bedford, Bloomington, and Clear Creek, Ind., to Tulsa, Okla., found unreasonable. Reasonable basis prescribed and reparation awarded.

951. Rates on certain kinds of stone, in carloads, from Carthage and Phoenix, Mo., and Silverdale, Kans., to Tulsa, Okla., found not unreasonable or unduly prejudicial. Removal of a violation of the fourth section directed.

952. Rates on dressed stone, in carloads, from Tulsa, Okla., to Kansas, Arkansas, western Louisiana, and Texas found not unreasonable or otherwise unlawful.

953. Refusal to grant transit services at Tulsa, Okla., found not unlawful.

*Federated Metals Corp. v. C. R. R. Co. of N. J.*, 113 I. C. C. 487.

954. Rates on certain alloys of lead, in carloads, from Newark, N. J., to Buffalo, N. Y., Pittsburgh, Pa., Chicago, Ill., and other destinations in Illinois, Indiana, Ohio, Pennsylvania, New York, Kentucky, and Tennessee found unreasonable.

955. Proposed increased rates on terne metal, in carloads, from Newark and Brills, N. J., to Buffalo, N. Y., and Buffalo rate points and destinations in central territory found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

*Alumina Shale Brick Co. v. B. & O. R. R. Co.*, 113 I. C. C. 496.

956. Rates on brick and other articles in the uniform brick list, in carloads, from the Johnsonburg, Pa., group to Atlantic seaboard cities and points taking the same rates found not unreasonable or unduly prejudicial. Complaint dismissed.

957. Fourth-section relief granted subject to the limitations stated in the report.

*Sames, Moore & Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 501.

958. Rates on eggs, in carloads, from points in Oklahoma, Kansas, Missouri, and Nebraska, to Laredo, Tex., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Indianapolis Board of Trade v. L. & N. R. R. Co.*, 113 I. C. C. 508.

959. Rates on grain and grain products, in carloads, from stations on the Chicago & Eastern Illinois to Louisville, Ky., applying through Indianapolis, Ind., on traffic destined to southeastern points, and transit arrangements in connection therewith at Indianapolis, found not unreasonable or otherwise unlawful. Complaint dismissed.

*Northern Potato Traffic Asso. v. B. & O. R. R. Co.*, 113 I. C. C. 511.

960. Rules providing for carriers' refusal to receive instructions to manipulate box-car doors in transit to meet changes in temperature, and for heater charge in connection with shipments of potatoes in refrigerator cars from points in Minnesota and other northwestern States to interstate destinations, held at intermediate points for reconsignment, found not unreasonable. Complaint dismissed.

*Horder's v. C. A. T. Co.*, 113 I. C. C. 520.

961. Rates charged on less-than-carload shipments of cash or document boxes from points in Connecticut and Grand Rapids, Mich., to Chicago, Ill., found unreasonable. Reparation awarded.

*Hanford Produce Co. v. American Ry. Express Co.*, 113 I. C. C. 523.

962. Rates on cream from certain points on the Minneapolis & St. Louis west of Winthrop, Minn., to Sioux City, Iowa, via Hanley Falls, Minn., found unreasonable. Reasonable maximum rates prescribed for the future and reparation awarded.

*Portland Linseed Oil Works v. G. N. Ry. Co.*, 113 I. C. C. 528.

963. Rates on flaxseed, in carloads, from certain points in Montana and North Dakota to Portland, Oreg., found not unreasonable. Complaint dismissed.

*Indiana rates, fares, and charges*, 113 I. C. C. 531.

964. Order entered pursuant to findings in original report herein, 60 I. C. C. 337, modified so as to except from its provisions intrastate rates on sand and gravel from Ginger Hill, Ind., to Granger and Wyatt, Ind.

*Sunny Brook Distillery Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 533.

965. Storage charges assessed on a carload of whisky stored at El Paso, Tex., found applicable and not unreasonable. Complaint dismissed. Former report, 107 I. C. C. 77, reversed.

*Texas Portland Cement Co. v. A. W. Ry. Co.*, 113 I. C. C. 536.

966. Carload rates on cement from Harrys and Eagle Ford, Tex., moving interstate to certain destinations in Texas and to destinations in Oklahoma, found unduly prejudicial as compared with rates from Ada, Okla., to destinations in Texas. Nonprejudicial rates prescribed.

*Interstate Corrugated Box Co. v. C. R. R. Co.*, 113 I. C. C. 539.

967. Rates on silicate of soda, in tank cars, and in drums, in carloads, from Grasselli, N. J., to Brooklyn, N. Y., found not unreasonable. Complaint dismissed.

*Benson Produce Co. v. G. N. Ry. Co.*, 113 I. C. C. 541.

968. Rate on butter, eggs, and dressed poultry, in straight or mixed carloads, applicable from Benson, Minn., to Chicago, Ill., between April 15, 1922, and December 5, 1923, inclusive, found not unreasonable. No damage shown from any undue prejudice which may have existed prior to December 6, 1923. Complaint dismissed.

*Morton Salt Co. v. B., A. & P. Ry. Co.*, 113 I. C. C. 548.

969. Rates on salt, in carloads, from Burmeister, Utah, to destination in Montana and Washington, found unreasonable. Reparation awarded.

*Gulf Naval Stores Supply Co. v. L. & N. R. R. Co.*, 113 I. C. C. 551.

970. Complaints filed by reason of the assessment and demand of alleged inapplicable and illegal charges on one carload of batting dross from Lumberton, Miss., to New Orleans, La., and on a mixed carload of batting dross, strainer dross, and cup skimmings from Ausmac, Ga., to New Orleans, found barred and dismissed.

*Sonoco Products Co. v. A. C. L. R. R. Co.*, 113 I. C. C. 553.

971. Rates on pulpboard, not corrugated or indented, in carloads, from Harts-ville, S. C., and Canton, N. C., to eastern destinations found unduly prejudicial.

*Abingdon Sanitary Mfg. Co. v. C. & N. W. Ry. Co.*, 113 I. C. C. 556.

972. Former rates on clay, in carloads, from certain points in Tennessee and Kentucky to Abingdon, Lincoln, Macomb, and Morton, Ill., found to have been unreasonable. Reparation awarded. Present rates from and to the same points and former rates from certain of the origin points in Tennessee and Abingdon and Macomb found not unreasonable.

*Automatic train-control devices*, 113 I. C. C. 561.

973. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

974. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*Hansen-Peterson Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 575.

975. Rates on peaches and grapes, in carloads, from producing points in California to Hibbing, South Hibbing, Ely, Aurora, Virginia, Eveleth, Chisholm, and Gilbert, Minn., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Security Cement & Lime Co. v. B. & O. R. R. Co.*, 113 I. C. C. 579.

976. Rates charged on cement, in carloads, from Security, Md., through the District of Columbia to Maryland destinations served by the Washington, Baltimore & Annapolis Electric Railroad, found to have been unlawful during the period from January 1, 1922, to January 4, 1923, inclusive.

977. Rates on cement from Security, moving interstate, to the same destinations during the period from January 5, 1923, to May 15, 1925, inclusive, found not unreasonable.

978. Similar findings as to rates on the same commodity to stations on the old Annapolis Short Line prior to and on and after March 30, 1923.



*S. C. Penitentiary v. A. & R. R. Co.*, 113 I. C. C. 584.

979. Rates on fiber furniture, less than carload, from Columbia, S. C., to points in southern classification territory, found not to have been or to be unjustly discriminatory or unduly prejudicial. Complaint dismissed.

*Petroleum from Ohio and Mississippi River Crossings*, 113 I. C. C. 587.

980. Proposed increased rates on petroleum and petroleum products, in carloads, from New Orleans and Baton Rouge, La., and other Mississippi River crossings, and also from Ohio River crossings, to Carrollton, Ky., found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules not in conflict with conclusions herein.

981. Fourth-section relief denied.

*Deforest Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 591.

982. Rates on linseed oil, in tank-car loads, from Minneapolis, Minn., to Dallas, Tex., found unreasonable. Reparation awarded and reasonable rate for the future prescribed.

*Standard Oil Co. v. A., T. & S. Ry. Co.*, 113 I. C. C. 597.

983. Rates charged on petroleum oils and gasoline in tank-car loads from Wood River, Ill., Neodesha and Wichita, Kans., Sugar Creek, Mo., Cushing, Okmulgee, Sapulpa, and Tulsa, Okla., and Casper, Wyo., to destinations in Indiana, Illinois, Michigan, Missouri, and Ohio, found legally applicable. Complaints dismissed.

*Hiff-Bruff Chemical Co. v. C. & E. I. Ry. Co.*, 113 I. C. C. 606.

984. Rates on bituminous coal, in carloads, from certain points in the Brazil-Clinton, Linto-Sullivan, Princeton, and Booneville groups in Indiana to Hoopes-ton, Ill., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

*Booth & Flinn v. P. R. R. Co.*, 113 I. C. C. 613.

985. Rate on sand, in carloads, from Sandusky, Ohio, to Pittsburgh, Pa., found not unreasonable as applied to past shipments but unreasonable for the future. Reasonable rate prescribed.

*Wilgus v. P. R. R. Co.*, 113 I. C. C. 617.

986. Charges for transportation of a carload of lumber from Philadelphia, Pa., to Broadway station, Paterson, N. J., based on rates to and from reconsigning point found not unreasonable, but collection of reconsigning charge in addition thereto found unreasonable. Reparation awarded, and discontinuance of such reconsignment charge required.

987. Joint class rates of defendants for movement of interstate traffic from the Erie station at Paterson to Broadway station at same point found not unreasonable.

*Romann & Bush Pig Iron & Coke Co. v. I. R. R. Co.*, 113 I. C. C. 622.

988. Rates on coke, in carloads, from Appalachia, Stonega, and other producing points in Virginia and from Birmingham, Ala., to destinations in California found not unreasonable or unduly prejudicial.

989. Rate on coke, in carloads, from Chattanooga, Tenn., to destinations in California found not unreasonable but to have resulted in undue prejudice to the extent indicated in *Durham Coal & Iron Co. v. C. of G. Ry. Co.*, 104 I. C. C. 483, which undue prejudice has been removed. Complaint dismissed.

*Automatic train-control devices*, 113 I. C. C. 625.

990. Effective date of the order entered in this proceeding on June 13, 1922, as amended, suspended until further order of the commission in so far as said order applies to the Kansas City Southern Railway Company. Former report, 69 I. C. C. 258.

*Ridenour-Baker Mercantile Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 629.

991. Rates on pickles, in carloads, from Colorado producing points to Oklahoma destinations, found unreasonable and unduly prejudicial. Bases for reasonable and nonprejudicial rates prescribed and reparation awarded. Findings in original report, in No. 13758, 88 I. C. C. 273, affirmed on further hearing.

992. Rates charged on like traffic from Brighton, Colo., to Oklahoma City, Okla., found not to have been unreasonable. Complaint in No. 17974 dismissed.

*Okla. Traffic Asso. v. A. G. S. R. R. Co.*, 113 I. C. C. 635.

993. Rates on sugar, in carloads, from points in Louisiana, from Sugarland and Texas City, Tex., and from points in Kansas, Colorado, Nebraska, Idaho, and Utah, to points in Oklahoma found unreasonable. Reasonable rates prescribed.

994. Reparation and fourth-section relief denied.

*Ahern Brokerage Co. v. A. C. L. R. R. Co.*, 113 I. C. C. 651.

995. Rates on celery, in carloads, from points in Florida to Chicago, Ill., found not to have been unreasonable or unjustly discriminatory. Complainant not shown to have been damaged by reason of any undue prejudice that may have existed. Complaint dismissed.

*Cardiff Green Marble Co. v. M. & P. R. R. Co.*, 113 I. C. C. 655.

996. Rates on marble, in less than carloads, from Cardiff, Md., to various destinations in the eastern and New England States found not unreasonable or unduly prejudicial. Complaint dismissed.

*Bradshaw-Roberson Cotton Co. v. A. C. L. R. R. Co.*, 113 I. C. C. 661.

997. Rates on cotton, in effect on and after October 7, 1922, from points in North Carolina to Danville, Va., found unreasonable. Reparation awarded. Fourth-section relief denied.

*Triad Corp. v. C. of G. Ry. Co.*, 113 I. C. C. 663.

998. Ratings and rates applicable on bed sacks, any quantity, under the southern classification found not unreasonable or otherwise unlawful. Former findings, 101 I. C. C. 687, affirmed.

*Sterchi Bros. v. G. N. Ry. Co.*, 113 I. C. C. 665.

999. Rate on imported matting, matting rugs, and various straw goods, in carloads, from Pacific coast points to Knoxville and Chattanooga, Tenn., Atlanta, Ga., and Jacksonville, Fla., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Gentile Bros. Co. v. S. Ry. Co.*, 113 I. C. C. 670.

1000. Four carloads of peaches shipped from Harriman, Tenn., consigned to Potomac Yard, Va., and New York, and reconsigned to Pittsburgh, Pa., found not to have been misrouted. Rate charged over route of movement not unreasonable or otherwise unlawful. Complaint dismissed.

*Nashville Traffic Bureau v. L. & N. R. R. Co.*, 113 I. C. C. 673.

1001. Upon further consideration former report, 102 I. C. C. 641, finding the rate on iron and steel, carloads, from Birmingham, Ala., to Nashville, Tenn., unduly prejudicial to the extent it exceeds 3 cents per 100 pounds more than the contemporaneous rate on like traffic from Birmingham to Chattanooga, Tenn., and 4 cents less than from Birmingham to Knoxville, Tenn., modified to the extent of permitting the establishment, under agreement by the parties, of a rate from Birmingham to Nashville of 4 cents more than the rate contemporaneously in effect from Birmingham to Chattanooga.

*Scott County Milling Co. v. B. C. R. R. Co.*, 113 I. C. C. 675.

1002. Rates on bituminous coal from points in southern Illinois and western Kentucky to points in southeastern Missouri and northeastern Arkansas found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

*C., R. I. & P. Ry. Co. v. B. & O. R. R. Co.*, 113 I. C. C. 681.

1003. Practice which requires the west-side lines to bear the expense of transferring across the river from East St. Louis, Ill., to St. Louis, Mo., west-bound freight moving under combination rates the same on East St. Louis as on St. Louis found to be unreasonable. Reasonable practice prescribed. Reparation denied.

1004. Careful study of divisions of joint rates on westbound traffic through East St. Louis and St. Louis commended to interested carriers with view to

readjustment thereof in conformity with just and reasonable practice in respect of interchange switching herein approved for general application.

*Stott Briquet Co. v. P. R. R. Co.*, 113 I. C. C. 693.

1005. Rates on anthracite silt, in carloads, from Scranton and other Pennsylvania mines to Buffalo, N. Y., and Erie, Pa., for transshipment, found unreasonable. Reasonable rates prescribed, and reparation awarded.

*Russell Grain Co. v. A. G. S. R. R. Co.*, 113 I. C. C. 699.

1006. Rates charged on certain shipments of grain and grain products from points in Colorado, Kansas, and Nebraska to points in Tennessee, Georgia, and Alabama found applicable. Complaint dismissed.

*Elledge v. Director General*, 113 I. C. C. 704.

1007. Transportation and demurrage charges on two carloads of lumber from Eutaw, Ala., reconsigned to Philadelphia, Pa., found inapplicable. Reparation awarded.

*Commodity specifications on petroleum products*, 113 I. C. C. 707.

1008. Proposed commodity descriptions and specifications for petroleum products found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the views expressed herein.

*Western Petroleum Refiners Asso. v. St. L.-S. F. Ry. Co.*, 113 I. C. C. 716.

1009. Failure of defendants to provide storage in transit on iron and steel pipe and fittings shipped from points east of the Mississippi River to destinations in Kansas, Oklahoma, Texas, Louisiana, and Arkansas found not unreasonable or unduly prejudicial. Complaint dismissed.

*Milk Producers Cooperative Co. v. B. & O. R. R. Co.*, 113 I. C. C. 721.

1010. Rates on evaporated milk, in carloads, from Pecatonica, Ill., to points in trunk-line territory found not unreasonable or unjustly discriminatory. Present adjustment found not unduly prejudicial. Reparation denied because of lack of proof of damage as to any undue prejudice which may have existed in the past. Complaint dismissed.

*Hamilton v. P. R. R. Co.*, 113 I. C. C. 723.

1011. Rates on barrel shooks, in carloads, from Rahway, N. J., to New York Harbor, N. Y., found not unreasonable. Complaint dismissed.

*Crown Cork & Seal Co. v. B. & O. R. R. Co.*, 113 I. C. C. 726.

1012. Present rates on imported cork waste and cork wood from New York, N. Y., to Baltimore (Highlandtown, Md.) found not unreasonable or otherwise unlawful. Rate in effect on cork wood prior to February 16, 1924, found unreasonable, and reparation awarded.

*Nebr. Cement Co. v. C., B. & Q. R. R. Co.*, 113 I. C. C. 729.

1013. Rate on slack coal, in carloads, from points in Colorado on the Denver & Salt Lake Railroad to Superior, Nebr., in effect from June 1 to September 20, 1923, found not unreasonable. Complaint dismissed.

*Foster Lumber Co. v. C., B. & Q. R. R. Co.*, 113 I. C. C. 734.

1014. Shipments of anthracite coal, in carloads, from Crested Butte, Colo., to McDonald, Oberlin, and St. Francis, Kans., and Curtis and Republican, Nebr., found to have been overcharged. Reparation awarded.

*Sirles v. American Ry., Express Co.*, 113 I. C. C. 736.

1015. Express rate on milk and cream, in less than carloads, from Fredericksburg, Va., to Rocky Mount, N. C., found unreasonable. Reparation awarded.

*Milne Lumber Co. v. B. & O. R. R. Co.*, 113 I. C. C. 739.

1016. Reparation awarded on account of excessive charges collected on four carloads of lumber from points in Arkansas, Texas, and Mississippi to destinations in Illinois.

*W. Va. Road Com. v. P. R. R. Co.*, 113 I. C. C. 740.

1017. Rate charged on crushed stone, in carloads, from Marble Cliff, Ohio, to Cairo, W. Va., found not unreasonable or otherwise unlawful. Complaint dismissed.



*Dulle Milling Co. v. M. P. R. R. Co.*, 113 I. C. C. 742.

1018. Rates on wheat, in carloads, from points in Missouri, milled at Jefferson City, Mo., and the resulting flour reshipped to destinations in Arkansas, found not unreasonable. Complaint dismissed.

*Continental Leather Co. v. P. R. R. Co.*, 113 I. C. C. 745.

1019. Fourth-class rate on sole leather, in carloads, from Philadelphia, Pa., to Boston, Mass., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Clayton v. L. & N. R. R. Co.*, 113 I. C. C. 747.

1020. Rate on bituminous coal, in carloads, from Earlington and Morton, Ky., to Shawneetown, Ill., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Firestone Tire & Rubber Co. v. Director General*, 113 I. C. C. 751.

1021. Fifth-class rates on iron and steel articles, in carloads, between the Pittsburgh district and other points on the one hand, and Ohio points on the other, found unreasonable to the extent that they exceeded aggregates of intermediate commodity rates over routes indicated. Reparation awarded.

*Carter Oil Co. v. A., T. & S. F. Ry. Co.*, 113 I. C. C. 757.

1022. Rates on iron and steel derricks, in carloads, from Sistersville, W. Va., to destinations in Oklahoma and Kansas found not unreasonable. Complaint dismissed.

*Deere Plow Co. v. Director General*, 115 I. C. C. 1.

1023. Rates and charges collected on a carload shipment of steel-frame pitless farm scales from Pleasant Hill, Mo., to Logan, Iowa, stopped at Missouri Valley, Iowa, for partial unloading, found unreasonable. Reparation awarded.

*Cairo Asso. of Commerce v. B. & N. W. Ry. Co.*, 115 I. C. C. 3.

1024. Refusal of carriers, parties to southern classification, to accept less-than-carload shipments of uncrated stoves or ranges made of cast iron, or of plate or sheet iron with cast-iron bases or tops, found unreasonable. Less-than-carload ratings of second class prescribed for such stoves when uncrated.

*Beatty Coal Co. v. A. V. I. Ry. Co.*, 115 I. C. C. 8.

1025. Rates on bituminous coal, in carloads, from mines in Kansas, Missouri, Oklahoma, and Arkansas, to Kansas City, Mo.-Kans., Independence, Mo., and related points, from January 12, 1923, to June 4, 1924, found not unreasonable. Reparation denied and complaints dismissed.

*Crown Mills v. N. P. Ry. Co.*, 115 I. C. C. 15.

1026. Refusal of defendants to accord north Pacific coast terminal rates on grain and grain products, in carloads, from points in transcontinental Groups F and G and other points on defendants' lines east of Pasco, Wash., on the Northern Pacific, and east of Spokane, Wash., on the Great Northern, via Portland, Oreg., to destinations from Centralia, Wash., north to and including Seattle, Tacoma, and Everett, Wash., on shipments routed via Portland, with milling and cleaning in transit at Portland, found unduly prejudicial. Undue prejudice ordered removed.

*Hollingshead Co. v. J., L. C. & E. R. R. Co.*, 115 I. C. C. 19.

1027. Shipments of staves, in carloads, from Blytheville, Ark., to Jackson, Miss., reconsigned to Gulfport, Miss., found misrouted but complainant not damaged thereby. Rate assailed found applicable. Complaint dismissed.

*Planters Oil Mill v. Y. & M. V. R. R. Co.*, 115 I. C. C. 21.

1028. Rate charged on four carloads of cottonseed meal from Greenwood, Miss., to Angola, La., found inapplicable. Reparation awarded.

*Orgill Bros. & Co. v. C., R. I. & P. Ry. Co.*, 115 I. C. C. 23.

1029. Rate charged on furniture, in carloads, from Oklahoma City, Okla., to Jackson, Miss., found applicable. Complaint dismissed.

*Tomkins-Summer Co. v. B. & O. R. R. Co.*, 115 I. C. C. 24.

1030. Rates charged on animal hoofs and horns, in carloads, from Chicago, Ill., to Shelton, Conn., and Weehawken, N. J., found applicable and not unreasonable. Complaint dismissed.

*Lynchburg Chamber of Commerce v. N. & W. Ry. Co.*, 115 I. C. C. 27.

1031. Rates on waxed wrapping paper, printed and not printed, in less than carloads, from Cincinnati, Ohio, to Lynchburg, Va., found not unduly prejudicial. Rate on the paper, not printed, found not unreasonable. Rate on the printed paper found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

*Harbauer Co. v. A. A. R. Co.*, 115 I. C. C. 30.

1032. Rates on pickles in brine, in carloads, from points in Ohio, Indiana, and Michigan to Toledo, Ohio, found not unreasonable or unjustly discriminatory, but unduly prejudicial. Reparation denied.

*Birmingham Traffic Bureau v. Director General*, 115 I. C. C. 33.

1033. Applicable rates on automobiles, in carloads, from Detroit, Flint, and North Flint, Mich., and on plumbers' supplies, in carloads, from Noblesville, Ind., to Birmingham, Ala., found not unreasonable, but certain shipments found overcharged. Refund of overcharges directed and complaint dismissed.

*Wood Curtis Co. v. N. P. Ry. Co.*, 115 I. C. C. 39.

1034. Rates on potatoes, in carloads, from points in the Yakima Valley, Wash., to destinations in California found not unreasonable or unjustly discriminatory but unduly prejudicial. Reparation denied.

*Fairfield Paper Co. v. A. C. L. Ry. Co.*, 115 I. C. C. 43.

1035. Rates on corrugated strawboard boxes, knocked down, in carloads, from Baltimore, Ohio, to Durham, Winston-Salem, and Reidsville, N. C., found not unduly prejudicial. Complaint dismissed.

*Bush & Co. v. L. & N. R. Co.*, 115 I. C. C. 45.

1036. Rates charged on common brick, in carloads, from Nashville, Tenn., to Morehead, Ky., found inapplicable in part. Applicable rates found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

*Iola Cement Mills Traffic Asso. v. A. V. I. Ry. Co.*, 115 I. C. C. 49.

1037. Rates on cement, in carloads, from points in the Kansas gas belt, Bonner Springs, Kans., Ada, Okla., Superior, Nebr., and Portland and Concrete, Colo., to points in western cement Scale III and IV territories found not unreasonable or unjustly discriminatory except where lower rates from the Kansas gas belt can be arrived at by the use of the average of rates under Scales II, III, and IV, based on distances over routes through Scale II territory.

1038. Rates on cement from Superior, Nebr., to points in Scale II territory and Kansas City, Mo., Sioux City, Iowa, and Sioux Falls, S. Dak., and from Ada, Okla., to Kansas City, to points in Scale II territory, and to points in Scale III territory in Missouri found unreasonable. Reasonable rates and bases of rates prescribed.

1039. Reparation denied except under particular circumstances.

*Armour & Co. v. C., M. & St. P. Ry. Co.*, 115 I. C. C. 68.

1040. Rates on fresh meats and packing-house products, in straight or mixed carloads, from Chicago, Ill., Milwaukee, Wis., and South St. Paul, Minn., to Houghton, Hancock, and Calumet, Mich., found unreasonable. Reasonable rates prescribed and reparation awarded.

1041. Rates on fresh meats and packing-house products, in straight or mixed carloads, from the same points of origin to Marquette, Ishpeming, Munising, and Nestoria, Mich., found not unreasonable.

*Milk and cream between points in Northwest*, 115 I. C. C. 77.

1042. Proposed increased rates on cream, and on milk, cream, and buttermilk, transported by railroads on passenger trains from and to points in a certain territory embracing points in Montana, North Dakota, Minnesota, and other northwestern States found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Old Ben Coal Corp. v. C., C. & St. L. Ry. Co.*, 115 I. C. C. 84.

1043. Rates on bituminous coal, in carloads, from West Frankfort, West Frankfort mine No. 18, Christopher, Christopher mine No. 20, Johnston City, and Buckner, Ill., to points in Indiana on the Cleveland, Cincinnati, Chicago & St. Louis Railway, found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.



*Usher Bros. v. A. & V. Ry. Co.*, 115 I. C. C. 89.

1044. Rate charged on a carload of yellow-pine lumber from Ragland, Miss., to Pittsburgh, Pa., found inapplicable. Reparation awarded.

*D'Arcy Spring Co. v. G. T. W. Ry. Co.*, 115 I. C. C. 91.

1045. Rate charged on a mixed carload of springs, shipped from Kalamazoo, Mich., to Los Angeles, Calif., and the total charges collected thereunder not shown to have been unreasonable, discriminatory, unduly prejudicial, or in excess of those collectible. Complaint dismissed.

*Hollingshead Co. v. A. A. R. R. Co.*, 115 I. C. C. 95.

1046. Fourth-class rates charged for the transportation of telescoped barrels, in carloads, from Thebes, Ill., and Louisville, Ky., to destinations in official classification territory found not unreasonable in the past. Sixth-class rating and rates, minimum 30,000 pounds, subject to rule 34 of the official classification, suggested as reasonable for the future.

*Nebr. Tire & Rubber Co. v. B. & O. R. R. Co.*, 115 I. C. C. 99.

1047. Carload rates on crude rubber from New York, N. Y., terminals, and on reclaimed rubber from certain points in central territory, to Omaha, Nebr., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Rawlings v. C., B. & Q. R. R. Co.*, 115 I. C. C. 103.

1048. Rate on natural ice, in carloads, from Wymore, Nebr., to St. Joseph, Mo., found not unreasonable. Complaint dismissed.

*Westen Newspaper Union v. Director General*, 115 I. C. C. 105.

1049. Rate on basis of which defendants are demanding charges on one carload of newsprint paper from Sault Ste. Marie, Ontario, Canada, to Dallas, Tex., found applicable. Allegations of the complaint other than those respecting overcharge found barred because not presented within one year following the termination of Federal control. Complaint dismissed.

*Witt v. N. Y. C. R. R. Co.*, 115 I. C. C. 108.

1050. Upon complaint praying that defendants be compelled to erect passenger stations on their tracks at Cleveland, Ohio: *Held*, That we are without jurisdiction to require the building of such stations under the conditions here present. Complaint dismissed.

*Dixie Portland Cement Co. v. Director General*, 115 I. C. C. 111.

1051. Carload shipments of cement from Richard City, Tenn., to Miami, Daytona, Coconut Grove, West Palm Beach, and Canal Port, Fla., found to have been misrouted. Reparation awarded. Former report 83 I. C. C. 417 reversed as to reparation.

*Winding Gulf Colliery Co. v. C. & O. Ry. Co.*, 115 I. C. C. 113.

1052. Defendant's failure to arrange for the extension of the same service and facilities to complainants' mines as they accord certain other mines found not to result in unjust discrimination or undue prejudice.

1053. Combination rates on coal from complainants' mines to eastern interstate destinations on or via the other line found not to be unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Lynchburg Chamber of Commerce v. A. C. L. R. R. Co.*, 115 I. C. C. 121.

1054. Rate on pine lumber, in carloads, from Bonneau, S. C., to Chatham, Va., found not unreasonable or unduly prejudicial but shipments found misrouted. Reparation awarded.

1055. Rate on pine lumber, in carloads, from Jalapa, S. C., to Danville, Va., found unreasonable. Reparation awarded.

*Continental Sugar Co. v. N. Y. C. R. R. Co.*, 115 I. C. C. 124.

1056. Upon further hearing, complainant awarded reparation on shipments of sugar beets based upon rates prescribed in original report, 91 I. C. C. 677.

*N. W. Fruit Exchange v. S. I. Ry. Co.*, 115 I. C. C. 127.

1057. Claim for refund of alleged overcharges on a carload shipment of boxed apples from Parks Spur, Wash., to Minneapolis, Minn., final destination Milwaukee, Wis., found barred. Complaint dismissed.



*Washington Building Lime Co. v. B. & O. R. R. Co.*, 115 I. C. C. 128.

1058. Rate on staves, in carloads, from Strasburg Junction, Va., to Engle, W. Va., found not unreasonable. Shipments from Strasburg, Va., to Bakerton, W. Va., found undercharged and waiver of the undercharge authorized. Reasonable basis indicated for the future.

*Woodville Lime Products Co. v. P. R. R. Co.*, 115 I. C. C. 131.

1059. Rate on lime, in carloads, from Woodville, Ohio, to Fulton station, Baltimore, Md., found unreasonable and unduly prejudicial.

*Cincinnati Sheet Metal & Roofing Co. v. P. R. R. Co.*, 115 I. C. C. 133.

1060. Rate charged on a carload of iron roofing shipped from Delphos, Ohio, to Springfield, Tenn., found inapplicable. Reparation awarded.

*Providence Fruit & Produce Exch. v. B. & M. R. R.*, 115 I. C. C. 135.

1061. Rates charged on six carloads of potatoes from points in Maine to Worcester, Mass., reconsigned to Providence, R. I., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Livestock from La. and Tex. to Kans. and Okla.*, 115 I. C. C. 137.

1062. Proposed routing restrictions and instructions resulting in increased rates on livestock, in carloads, between points in Louisiana and Texas, on the one hand, and points in Kansas and Oklahoma, on the other, found not justified. Suspended schedules ordered canceled and proceedings discontinued.

*Ragland Coal Co. v. V. Ry. Co.*, 115 I. C. C. 147.

1063. Defendant's failure to make arrangements whereby complainant's mine located on the Virginian Railway near Pemberton, W. Va., would receive car service from the Chesapeake & Ohio Railway found not unreasonable, unjustly discriminatory, or unduly prejudicial.

1064. Rates on coal from complainant's mine to Pemberton, W. Va., not found unreasonable, unjustly discriminatory, or unduly prejudicial.

1065. Combination rates on coal from complainant's mines to eastern interstate destinations on or via the other line found not to be unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

*Grain and grain products to Gulf ports*, 115 I. C. C. 153.

1066. Proposed reduced proportional rates on grain and grain products, in carloads, from Kansas City, Mo., to Beaumont and Port Arthur, Tex., and New Orleans, La., and points taking New Orleans rates, for export found not justified. Suspended schedules canceled and proceeding discontinued.

*El Paso Compress & Fumigation Co. v. M. P. R. R. Co.*, 115 I. C. C. 166.

1067. Rate charged on castings and forgings, parts of compresses, in carloads, from Monroe, La., to El Paso, Tex., found not unreasonable. Complaint dismissed.

*Victor-American Fuel Co. v. D. & S. L. R. R. Co.*, 115 I. C. C. 169.

1068. Defendant railroad's rules, regulations, and practices with respect to the distribution of cars to coal mines served by it found to have been and to be unlawful, unreasonable, and unduly prejudicial.

1069. Defendant railroad's practice of not counting against a mine's distributive share cars placed thereat for railway-fuel loading found to have been unlawful and unduly prejudicial.

1070. Defendant coal companies found to have received an undue preference with their knowledge and consent by reason of their agreement with the carrier and the practice of said carrier under that agreement.

1071. Allegation that defendant railroad permitted the Moffat Coal Company with its knowledge and consent incident to the operation of two tipples at one mine so to report the working time and production of said mine as to secure to said mine an unreasonably excessive and unduly prejudicial rating not sustained.

1072. Suggestions made for establishing rules for the future.

1073. Record held open for further appropriate proceedings.

*Knoxville Traffic Bureau v. S. Ry. Co.*, 115 I. C. C. 187.

1074. Rates charged on lime, in carloads, from Knoxville, Tenn., to Braithwaite, La., found inapplicable. Refund of overcharges required.

*Lowe Paper Co. v. C. N. E. Ry. Co.*, 115 I. C. C. 189.

1075. Rates on paper strawboard and boxboard, in carloads, from New Haven and Windsor Locks, Conn., to Ridgefield, N. J., found unreasonable. Reparation awarded.

*Luria Bros. & Co. v. B. & O. R. R. Co.*, 115 I. C. C. 193.

1076. Charge for weighing interstate shipments of scrap iron, in carloads, on track scales at Allegheny, Pa., and like charge for weighing empty cars after unloading such shipments found not unreasonable or otherwise unlawful. Complaint dismissed.

*Olsen v. A. G. S. R. R. Co.*, 115 I. C. C. 195.

1077. Shipments of steel bars, in carloads, from Alabama City, Bessemer, East Birmingham, and Fairfield, Ala., to New Orleans, La., found to have been overcharged. Refund of overcharges directed and complaint dismissed.

*Refrigerator Equipment in S. E. territory*, 115 I. C. C. 198.

1078. Proposed charges for refrigerator cars used in the transportation of fruits, vegetables, and other perishable freight, in less than carloads, between points in southeastern States found justified. Order of suspension vacated and proceeding discontinued.

*Toney Bros. v. S. Ry. Co.*, 115 I. C. C. 203.

1079. Rates on peaches, in carloads, from Timberville and Markham, Va., to Jacksonville, Fla., found not unreasonable or otherwise unlawful. Complaints dismissed.

*Abeles & Taussig Lumber & Tie Co. v. C., M. & St. P. Ry. Co.*, 115 I. C. C. 205.

1080. Rates charged on six carloads of oak railroad ties from Crocker, Mo., to Lyons, Iowa., found unreasonable. Reparation awarded.

*Wauchula Development Co. v. A. C. L. R. R. Co.*, 115 I. C. C. 207.

1081. Class A rates found applicable on vegetable hampers, in carloads, from Wauchula, Fla., to Meggetts and Nosbig, S. C. Shipments found undercharged and not misrouted. Complaint dismissed.

*Consolidated Coal & Supply Co. v. N. Y., C. & St. L. R. R. Co.*, 115 I. C. C. 209.

1082. Charges for reweighing six carloads of coal at Kokomo, Ind., found to have been legally collected. Complaint dismissed.

*Board of Park Commissioners v. C., M. & St. P. Ry. Co.*, 115 I. C. C., 211.

Rate on crushed rock, in carloads, from Dresser Junction, Wis., to Minnehaha, Minn., found unreasonable. Reparation awarded.

*Chicago Carton Co. v. C., B. & Q. R. R. Co.*, 115 I. C. C. 215.

1084. Rate charged on paper boxes, knocked down, in bundles, in carloads, from Chicago, Ill., to Salt Lake City, Utah, found unreasonable. Reparation awarded.

*Brown Hoisting Machinery Co. v. P. R. R. Co.*, 115 I. C. C. 218.

1085. Charges on machinery and paint, in carloads, from Cleveland, Ohio, to Long Island City, N. Y., for lighterage delivery, found applicable and, with exception of reconsignment charges found not unreasonable. Reconsignment charges found unreasonable and reparation awarded.

*Meier-Dawson Produce Co. v. C. & S. Ry. Co.*, 115 I. C. C. 221.

1086. Failure of defendants to include garlic in the list of vegetables entitled to move under a mixed-carload commodity rate on traffic from San Benito, Tex., to Denver, Colo., found unreasonable. Reparation awarded and a reasonable basis prescribed for the future.

*American Trading Co. v. Director General*, 115 I. C. C. 223.

1087. Domestic rate charged on a shipment of coiled steel wire rods from Acme, Ill., to San Francisco, Calif., intended for export, and actually exported to Shanghai, China, found applicable, as all tariff requirements were not complied with by complainant. Applicable rate, rules, and regulations found not unreasonable or otherwise unlawful. Complaint dismissed.

*Meridian Fertilizer Factory v. A. C. L. R. R. Co.*, 115 I. C. C. 226.

1088. Rate on phosphate rock, in carloads, from Milldale, Fla., to Shreveport, La., found not unreasonable. Complaint dismissed.

*Phosphate rock from Florida*, 115 I. C. C. 229.

1089. Proposed increased rates on phosphate rock, in carloads, from points in the Florida pebble-rock district to Roanoke, Ala., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

1090. Rates in effect prior to April 18, 1925, found not unreasonable. Complaint dismissed.

*Tidal Osage Oil Co. v. Director General*, 115 I. C. C. 237.

1091. Rate charged on shipments of wrought-iron pipe from Chester, Pa., to Beggs, Okla., found applicable. Complaint dismissed.

*Standard Oil Co. v. A. C. L. R. R. Co.*, 115 I. C. C. 239.

1092. Defendants' refusal to accept and transport shipments of gasoline and petroleum refined oils, in tank-car loads, tendered by complainant at Wilmington, N. C., for transportation over interstate routes to Kernersville, Hookerton, and Raeford, N. C., found unlawful. Reparation awarded.

*Standard Furniture Co. v. A. G. S. R. R. Co.*, 115 I. C. C. 243.

1093. Rates applied upon a mixed carload shipment of veneers from Tuscaloosa, Ala., to Nashville, Tenn., found to have been erroneous in part. Correct method of computing the charges described. Complaint dismissed.

*Awixa Corp. v. L. I. R. R. Co.*, 115 I. C. C. 245.

1094. Rates charged on cement, in carloads, from Coplay, Saylor, and Hokendauqua, Pa., to Riverhead, Long Island, N. Y., found unreasonable. Reparation awarded.

*Bixler Coal & Coke Co. v. B. & L. E. R. R. Co.*, 115 I. C. C. 248.

1095. Shipments of coal, in carloads, from Gascola, Pa., to Montreal, Canada, found to have been misrouted, resulting in the assessment of reconsignment and switching charges. Reparation awarded.

*Gentile Bros. Co. v. C. of G. Ry. Co.*, 115 I. C. C. 251.

1096. Rate on peaches, in carloads, from Willvale, Ga., to Uniontown, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

*Russell-Heckle Seed Co. v. M. P. R. R. Co.*, 115 I. C. C. 253.

1097. Rates on cottonseed, in carloads, from Memphis, Tenn., to Eagle Pass, Tex., found unreasonable. Reparation awarded.

*Automatic train-control devices*, 115 I. C. C. 256.

1098. After inspection and test, installation found to meet the requirements of our specifications and order and installation approved.

1099. Requirements prescribed in respect of certain apparatus and operations, with which the carrier is expected promptly to comply.

*Automatic train-control devices*, 115 I. C. C. 270.

1100. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved except as indicated.

1101. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

*American Hatters & Furriers Co. v. C. N. E. Ry. Co.*, 115 I. C. C. 283.

1102. Less-than-carload ratings in official classification on rabbit-skin clippings or scraps found not unreasonable. Corresponding carload rating found unreasonable. Reasonable rating prescribed. Reparation awarded.

*Fentress Coal Co. v. T. C. Ry. Co.*, 115 I. C. C. 286.

1103. Rates charged on coal, in carloads, from Wilder and Davidson, Tenn., to destinations on the line of the Minneapolis & St. Louis Railroad in Iowa found applicable and not unreasonable or otherwise unlawful. Complaint dismissed.

*Canned goods from La Crosse*, 115 I. C. C. 289.

1104. Proposed increased rates on canned goods, in carloads, from La Crosse, Wis., Winona, Minn., and points grouped therewith, to Danville and Springfield, Ill., St. Louis, Mo., and points taking the same rates, found justified. Order of suspension vacated.



*Combination rule on brick*, 115 I. C. C. 293.

1105. Proposed cancellation of the application of the combination rule on brick and related articles, in carloads, between stations in Iowa, Missouri, Kansas, Nebraska, North Dakota, South Dakota, Minnesota, and other western States, and in some instances the establishment of proportional rates to and from certain specified junctions, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

*Abraham & Straus v. E. R. R. Co.*, 115 I. C. C. 305.

1106. Charges collected on an interstate shipment of furniture from Jamestown, N. Y., to Brooklyn, N. Y., found to have been applicable. Complaint dismissed.

*Cohen & Son v. P. R. R. Co.*, 115 I. C. C. 307.

1107. Rates applicable and subsequently established on scrap iron, in carloads, from Burnham, Pa., to Cumberland, Md., found unreasonable. Reasonable rate prescribed and reparation awarded.

1108. Assessment of reconsignment charge at Burnham in addition to local rates to and beyond reforwarding point found unreasonable. Discontinuance of such reconsignment charge required and reparation awarded.

*Consolidated Water Power & Paper Co. v. C. N. Rys.*, 115 I. C. C. 310.

1109. Joint rate on wet wood pulp, in carloads, from Port Arthur, Ontario, to Wisconsin Rapids and Biron, Wis., found not unreasonable. Complaint dismissed.

*Anderson-Taylor Co. v. A., T. & S. F. Ry. Co.*, 115 I. C. C. 313.

1110. Rates charged on dried fruits in boxes, in carloads, from California points to Utah points found unreasonable. Reparation awarded.

1111. Rates charged on dried fruits in sacks, in carloads, from California points to Utah points found not unreasonable.

*Frohman Chemical Co. v. B. & O. R. R. Co.*, 115 I. C. C. 322.

1112. Rate on silica sand, in carloads, from points in the Ottawa district in Illinois to Sandusky, Ohio, not found unjust or unreasonable. Complaint dismissed.

*Graham v. N. Y. C. R. R. Co.*, 115 I. C. C. 325.

1113. Stated refrigeration charges assessed on peaches, in carloads, from Lockport and Burt, N. Y., to Grand Rapids, Mich., and Oshkosh, Wis., found not unreasonable or unjustly discriminatory. Complaint dismissed.

*Marion Machine, Foundry & Supply Co. v. C., C. & St. L. Ry. Co.*, 115 I. C. C. 327.

1114. Rates on iron and steel pull and sucker rods from Marion, Ind., to destinations in Oklahoma and Texas found not unreasonable. Complaint dismissed.

*Class and commodity rates from Pennsylvania*, 115 I. C. C. 331.

1115. Proposed increased class and commodity rates from points in the Scranton and Williamsport, Pa., groups, to points in central and western trunk-line territories found not justified. Suspended schedules ordered canceled.

1116. Application by carriers comprising circuituous routes for authority to maintain class and commodity rates from points in the Scranton and Williamsport, Pa., groups to points in central and western trunk-line territories, without observance of the long-and-short-haul provision of the interstate commerce act, granted, with certain restrictions.

*Paper from Holyoke, Mass.*, 115 I. C. C. 336.

1117. Proposed increased rates on paper, in carloads, from Holyoke, Mass., to Newark and Nutley, N. J., found not justified. Suspended schedules ordered canceled.

*Apache Powder Co. v. A. T. & S. F. Ry. Co.*, 115 I. C. C. 339.

1118. Rates on box shooks and sawdust, in carloads, from Albuquerque, N. Mex., and El Paso, Tex., to Curtiss and Kennard, Ariz., found unreasonable but not unduly prejudicial. Reasonable rates prescribed for the future. Reparation awarded on shipments of box shooks.

*Arctic Ice Machine Co. v. A., T. & S. F. Ry. Co.*, 115 I. C. C. 346.

1119. Charges on certain shipments of refrigerating and ice-making machinery, in carloads, from Canton, Ohio, to Oklahoma City, Okla., not shown to have been illegal, unreasonable, or unduly prejudicial. Complaint dismissed.

*Coovert & Young v. L. & N. R. R. Co.*, 115 I. C. C. 349.

1120. Rate charged on a carload shipment of coal from Hazard, Ky., to Valparaiso, Ind., found neither unreasonable nor unduly prejudicial. Shipment was not misrouted. Complaint dismissed.

*Brown Mfg. Co. v. B. & O. R. R. Co.*, 115 I. C. C. 352.

1121. Rates on steel plates and bar steel from Pittsburgh, Junction Transfer, and Bessemer, Pa., to Zanesville and Malta, Ohio, found unreasonable and reparation awarded.

*West Construction Co. v. N. C. & St. L. Ry.*, 115 I. C. C. 355.

1122. Interstate shipments of sand, in carloads, from Estill Springs to Rockwood, Tenn., found to have been overcharged. Reparation awarded.

*Dover and South Bound R. R.*, 103 I. C. C. 39.

1123. Final value for rate-making purposes of the property of the Dover and South Bound Railroad owned and used for common-carrier purposes, as of June 30, 1914, found to be \$170,000.

*Bristol R. R. Co.*, 103 I. C. C. 45.

1124. Final value for rate-making purposes of the property of the Bristol Railroad Company, owned and used for common-carrier purposes, found to be \$108,600, as of June 30, 1917.

*Sylvania Central Ry. Co.*, 103 I. C. C. 55.

1125. Protests of the Sylvania Central Railway Company against the tentative and supplemental tentative valuations of its property considered and determined.

1126. Final value for rate-making purposes of the property owned by the Sylvania Central Railway Company, found to be \$150,882 as of June 30, 1915.

*Chesapeake Beach Ry. Co.*, 103 I. C. C. 67.

1127. Final value for rate-making purposes of the property of the Chesapeake Beach Railway Company, owned and used for common-carrier purposes, found to be \$765,000 as of June 30, 1916, and of property used but not owned, \$88,750.

*Chicago & Wabash Valley Ry. Co.*, 103 I. C. C. 83.

1128. Protest of the Chicago and Wabash Valley Railway Company against the tentative valuation of its property considered and determined.

1129. Final value for rate-making purposes of the property of the Chicago and Wabash Valley Railway Company, owned and used for common-carrier purposes, found to be \$463,220 as of June 30, 1915.

*Elwood, Anderson & Lapelle R. R. Co.*, 103 I. C. C. 97.

1130. Final value for rate-making purposes of the property of The Elwood, Anderson and Lapelle Railroad Company, owned and used for common-carrier purposes found to be \$108,910, as of June 30, 1916, and of property used but not owned, \$179.

*Wadley Southern Ry. Co.*, 103 I. C. C. 108.

1131. Protests of the Wadley Southern Railway Company against the tentative and supplemental tentative valuations of its property considered and determined.

1132. Final value for rate-making purposes of the property of the Wadley Southern Railway Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$895,091, and owned but not used \$135.

*Delaware & Northern R. R. Co.*, 103 I. C. C. 130.

1133. Final value for rate-making purposes of the property of the Delaware and Northern Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$1,417,210.

*Union Point & White Plains R. R. Co.*, 103 I. C. C. 147.

1134. Protest of the Union Point & White Plains Railroad Company against the tentative valuation of its property considered and determined.

1135. Final value of the property of the Union Point & White Plains Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$104,000.

*Linville River Ry. Co.*, 103 I. C. C. 160.

1136. Final value for rate-making purposes of the property of the Linville River Railway Company, owned and used for common-carrier purposes, found to be \$249,662 as of June 30, 1916, and used but not owned \$47.

*Elkin & Alleghany Ry. Co.*, 103 I. C. C. 174.

1137. Final value for rate-making purposes of the property of the Elkin & Alleghany Railway Company, owned and used for common-carrier purposes found to be \$335,046, as of June 30, 1915, and of property used but not owned, \$34.

*Delta Southern Ry.*, 103 I. C. C. 188.

1138. Final value for rate-making purposes of the property of the Delta Southern Railway, owned and used for common-carrier purposes found to be \$675,307, as of June 30, 1915, and of the property used but not owned \$39.

*Fellsmere R. R.*, 103 I. C. C. 201.

1139. Final value for rate-making purposes of the property of the Fellsmere Railroad, owned and used for common-carrier purposes found to be \$110,000, as of June 30, 1916.

*Fourche River Valley & Indian Territory Ry. Co.*, 103 I. C. C. 208.

1140. Final value for rate-making purposes of the property of the Fourche River Valley and Indian Territory Railway Company, owned and used for common-carrier purposes, found to be \$250,000, as of June 30, 1916, and used but not owned \$7,460.

*Carrollton & Worthville R. R. Co.*, 103 I. C. C. 220.

1141. Final value for rate-making purposes of the property of the Carrollton & Worthville Railroad Company, owned and used for common-carrier purposes, found to be \$100,000, as of June 30, 1917.

*Colorado-Kansas Ry. Co.*, 103 I. C. C. 232.

1142. Final value for rate-making purposes of the property of the Colorado-Kansas Railway Company, owned and used for common-carrier purposes found to be \$360,323, as of June 30, 1916, and of property used, but not owned \$5,450.

*Durham Union Station Co.*, 103 I. C. C. 244.

1143. Protest of the Durham Union Station Company against the tentative valuation of its property considered and determined.

1143½. Final value for rate-making purposes of the property of the Durham Union Station Company, owned and used for common-carrier purposes, found to be \$111,044, as of June 30, 1916, and of the property used but not owned \$58,615.

*Louisville & Wadley R. R. Co.*, 103 I. C. C. 252.

1144. Protests of the Louisville & Wadley Railroad Company against the tentative and supplemental tentative valuations of its property considered and determined.

1145. Final value for rate-making purposes of the property of the Louisville & Wadley Railroad Company, owned and used for common-carrier purposes, found to be \$145,421, as of June 30, 1915.

*Clarendon & Pittsford R. R. Co.*, 103 I. C. C. 263.

1146. Final value for rate-making purposes of the property of the Clarendon and Pittsford Railroad Company, owned and used for common-carrier purposes found to be \$490,000, as of June 30, 1917, and of property used but not owned \$212.



*Central Ry Co. of Ark.*, 103 I. C. C. 274.

1147. Final value for rate-making purposes of the property of the Central Railway Company of Arkansas, owned and used for common-carrier purposes found to be \$201,885, as of June 30, 1916, and of the property used but not owned \$39.

*Cairo, Truman & Southern R. R. Co.*, 103 I. C. C. 286.

1148. Final value for rate-making purposes of the property of the Cairo, Truman and Southern Railroad Company, owned and used for common-carrier purposes found to be \$134,292, as of June 30, 1917, and of the property used but not owned \$42,504.

*Sharpsville R. R. Co.*, 103 I. C. C. 299.

1149. Final value for rate-making purposes of the property of the Sharpsville Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$364,194, and used but not owned \$15,304.

*Cape Girardeau Northern Ry. Co.*, 103 I. C. C. 315.

1150. Final value for rate-making purposes of the property of the Cape Girardeau Northern Railway Company, owned and used for common-carrier purposes found to be \$1,257,716, as of June 30, 1914.

*Cincinnati, Flemingsburg & Southeastern R. R. Co.*, 103 I. C. C. 336.

1151. Final value for rate-making purposes of the property of the Cincinnati, Flemingsburg and Southeastern Railroad Company, owned and used for common-carrier purposes, found to be \$151,397, as of June 30, 1917, and used but not owned, \$7,100.

*Greene County R. R. Co.*, 103 I. C. C. 349.

1152. Final value for rate-making purposes of the property of the Greene County Railroad Company, owned and used for common-carrier purposes found to be \$152,977, as of June 30, 1915.

*Deering Southwestern Ry.*, 103 I. C. C. 360.

1153. Final value for rate-making purposes of the property of the Deering Southwestern Railway, owned and used for common-carrier purposes, as of June 30, 1917, found to be \$453,000.

*Fordyce & Princeton R. R. Co.*, 103 I. C. C. 371.

1154. Final value for rate-making purposes of the property of the Fordyce and Princeton Railroad Company, owned and used for common-carrier purposes found to be \$174,071, as of June 30, 1916.

*Hartwell Ry. Co.*, 103 I. C. C. 380.

1155. Final value for rate-making purposes of the property of the Hartwell Railway Company, owned and used for common-carrier purposes, found to be \$122,860, as of June 30, 1916.

*San Pedro, Los Angeles & Salt Lake R. R. Co.*, 103 I. C. C. 398.

1156. Upon consideration of the evidence introduced at the further hearing, (1) the value of water rights owned and used by the carrier for common-carrier purposes determined; (2) the amount of working capital to be included in the final value of carrier's property found to be \$1,200,000, instead of \$1,000,000 as stated in the original report and order, 75 I. C. C. 462; (3) the final single-sum value for rate-making purposes, of property wholly owned and used by the carrier, found to be \$45,200,000, as of June 30, 1914, instead of \$45,000,000, as stated in the original report and order, the increase resulting entirely from the increase in working capital.

*Gideon & North Island R. R. Co.*, 103 I. C. C. 406.

1157. Final value for rate-making purposes of the property of the Gideon and North Island Railroad Company, owned and used for common-carrier purposes, found to be \$108,600 as of June 30, 1917, and of property used but not owned, \$22,306.

*Southern Illinois & Missouri Bridge Co.*, 103 I. C. C. 414.

1158. Final value for rate-making purposes of the property of the Southern Illinois and Missouri Bridge Company, owned and used for common-carrier purposes, found to be \$3,182,660, as of June 30, 1915.

*Franklin & Pittsylvania R. R. Co.*, 103 I. C. C. 424.

1159. Final value for rate-making purposes of the property of the Franklin & Pittsylvania Railroad Company, owned and used for common-carrier purposes found to be \$328,308, as of June 30, 1916, and used but not owned \$76,000.

*Federal Valley R. R. Co.*, 103 I. C. C. 434.

1160. Final value for rate-making purposes of the property of the Federal Valley Railroad Company, owned and used for common-carrier purposes, found to be \$392,240, as of December 31, 1922.

*Indiana Northern Ry. Co.*, 103 I. C. C. 446.

1161. Final value for rate-making purposes of the property of the Indiana Northern Railway Company, owned and used for common-carrier purposes, found to be \$29,310, as of June 30, 1916, and of property used but not owned, \$25,940.

*Fairchild & North-Eastern Ry. Co.*, 103 I. C. C. 453.

1162. Final value for rate-making purposes of the property of the Fairchild & North-Eastern Railway Company, owned and used for common-carrier purposes, found to be \$884,746 as of June 30, 1916.

*Shelby Northwestern Ry. Co.*, 103 I. C. C. 465.

1163. Final value for rate-making purposes of the property of the Shelby Northwestern Railway Company, owned and used for common-carrier purposes, found to be \$195,000 as of June 30, 1918.

*Bay Point & Clayton R. R. Co.*, 103 I. C. C. 475.

1164. Final value for rate-making purposes of the property of the Bay Point & Clayton Railroad Company, owned and used for common-carrier purposes, found to be \$136,000 as of June 30, 1916, and of property used but not owned, \$2,000.

*Prescott & Northwestern R. R. Co.*, 103 I. C. C. 484.

1165. Final value for rate-making purposes of the property of the Prescott & Northwestern Railroad Company, owned and used for common-carrier purposes, found to be \$350,120 as of June 30, 1916, and of property used but not owned, \$32.

*Shelby County Ry. Co.*, 103 I. C. C. 500.

1166. Final value for rate-making purposes of the property of the Shelby County Railway Company, owned and used for common-carrier purposes, found to be \$135,253 as of June 30, 1918.

*Rock Port, Langdon & Northern Ry. Co.*, 103 I. C. C. 511.

1167. Final value for rate-making purposes of the property of the Rock Port, Langdon & Northern Railway Company, owned and used for common-carrier purposes, as of June 30, 1918, found to be \$53,901.

*Augusta Belt Ry. Co.*, 103 I. C. C. 523.

1168. Protest of the Augusta Belt Railway Company against the tentative valuation of its property considered and determined.

1169. Final value for rate-making purposes of the property of the Augusta Belt Railway Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$95,000.

*Jackson & Eastern Ry. Co.*, 103 I. C. C. 539.

1170. Final value for rate-making purposes of the property of the Jackson and Eastern Railway Company, owned and used for common-carrier purposes, as of June 30, 1917, found to be \$140,000.

*Natchez, Columbia & Mobile R. R. Co.*, 103 I. C. C. 547.

1171. Protest of Natchez, Columbia and Mobile Railroad Company against the tentative valuation of its property considered and determined.

1172. Final value for rate-making purposes of the property of Natchez, Columbia and Mobile Railroad Company, owned and used for common-carrier purposes, found to be \$389,436 as of June 30, 1916, and of property used but not owned, \$86,100.

*Kentwood, Greensburg & South Western R. R. Co.*, 103 I. C. C. 563.

1173. Final value for rate-making purposes of the property of the Kentwood, Greensburg and South Western Railroad Company, owned and used for common carrier purposes, as of June 30, 1916, found to be \$134,423, and of property used but not owned, \$4,411.

*Hillsboro & Northeastern Ry. Co.*, 103 I. C. C. 573.

1174. Final value for rate-making purposes of the property of the Hillsboro and Northeastern Railway Company, owned and used for common-carrier purposes, found to be \$103,895, as of June 30, 1917.

*Gainesville & Northwestern R. R. Co.*, 103 I. C. C. 583.

1175. Final value for rate-making purposes of the property of the Gainesville & Northwestern Railroad Company, owned and used for common-carrier purposes, found to be \$517,248, as of June 30, 1916.

*Joliet Union Depot Co.*, 103 I. C. C. 593.

1176. Final value for rate-making purposes of the property of the Joliet Union Depot Company, owned and used for common-carrier purposes, found to be \$391,270, as of June 30, 1917.

*Garden City Western Ry. Co.*, 103 I. C. C. 601.

1177. Final value for rate-making purposes of the property of The Garden City Western Railway Company owned and used for common-carrier purposes found to be \$192,057, as of June 30, 1916, and of property used but not owned, \$42.

*Little River R. R. Co.*, 103 I. C. C. 611.

1178. Final value for rate-making purposes of the property of the Little River Railroad Company, owned and used for common-carrier purposes, found to be \$191,961, as of June 30, 1916, and of property owned but not used, \$35,000.

*L'Anguille River Ry. Co.*, 103 I. C. C. 620.

1179. Final value for rate-making purposes of the property of the L'Anguille River Railway Company, owned and used for common-carrier purposes, found to be \$12,500, as of June 30, 1918, and of property used but not owned, \$4,038.

*Beaver, Meade & Englewood R. R. Co.*, 103 I. C. C. 629.

1180. Final value for rate-making purposes of the property of the Beaver, Meade & Englewood Railroad Company, owned and used for common-carrier purposes, found to be \$75,000, as of June 30, 1918.

*Kennebec Central R. R. Co.*, 103 I. C. C. 634.

1181. Final value for rate-making purposes of the property of the Kennebec Central Railroad Company, owned and used for common-carrier purposes, found to be \$70,700, as of June 30, 1916.

*Lexington Union Station Co.*, 103 I. C. C. 643.

1182. Final value for rate-making purposes of the property of the Lexington Union Station Company, owned and used for common-carrier purposes, found to be \$776,498 as of June 30, 1917.

*Manistee & Repton R. R. Co.*, 103 I. C. C. 649.

1183. Final value for rate-making purposes of the property of the Manistee & Repton Railroad Company, owned and used for common-carrier purposes, found to be \$75,000 as of June 30, 1917, and used but not owned, \$42,500.

*Magma Arizona R. R. Co.*, 103 I. C. C. 658.

1184. Final value for rate-making purposes of the property of the Magma Arizona Railroad Company, owned and used for common-carrier purposes, found to be \$319,560, as of June 30, 1917.

*Keeseeville, Ausable Chasm & Lake Champlain R. R. Co.*, 103 I. C. C. 667.

1185. Final value for rate-making purposes of the property of the Keeseeville, Ausable Chasm & Lake Champlain Railroad Company, owned and used for common-carrier purposes, found to be \$113,619, as of June 30, 1916.

*Goldsboro Union Station Co.*, 103 I. C. C. 678.

1186. Final value for rate-making purposes of the property of the Goldsboro Union Station Company, owned and used for common-carrier purposes, found to be \$147,895, as of June 30, 1914.



*Laurel Fork Ry. Co.*, 103 I. C. C. 689.

1187. Final value for rate-making purposes of the property of the Laurel Fork Railway Company, owned and used for common-carrier purposes, found to be \$366,396, as of June 30, 1916.

*Marinette, Tomahawk & Western R. R. Co.*, 103 I. C. C. 697.

1188. Final value for rate-making purposes of the property of the Marinette, Tomahawk & Western Railroad Company, owned and used for common-carrier purposes, found to be \$283,720, as of June 30, 1917, used but not owned \$21, and owned but not used \$160,000.

*Boston Terminal Co.*, 103 I. C. C. 707.

1189. Final value for rate-making purposes of the property of The Boston Terminal Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$20,770,500.

*Hanover Ry. Co.*, 103 I. C. C. 731.

1190. Final value for rate-making purposes of the property of the Hanover Railway Company, owned and used for common-carrier purposes, found to be \$35,182, as of June 30, 1916.

*Cumberland Valley R. R. Co.*, 103 I. C. C. 743.

1191. Final value for rate-making purposes of the property of the Cumberland Valley Rail Road Company, owned and used for common-carrier purposes found to be \$13,031,300, as of June 30, 1916, owned but not used \$1,241, and used but not owned \$2,548,042.

*Interstate R. R. Co.*, 103 I. C. C. 795.

1192. Final value for rate-making purposes of the property of the Interstate Railroad Company, owned and used for common-carrier purposes, found to be \$1,802,200, as of June 30, 1916, and of the property used but not owned, \$33,020.

*Mammoth Cave R. R. Co.*, 103 I. C. C. 818.

1193. Final value for rate-making purposes of the property of the Mammoth Cave Railroad Company, owned and used for common-carrier purposes, found to be \$85,000 as of June 30, 1917.

*Carolina & Yadkin River Ry. Co.*, 106 I. C. C. 1.

1194. Final value for rate-making purposes of the property of the Carolina & Yadkin River Railway Company, owned and used for common-carrier purposes, found to be \$766,538, as of June 30, 1915.

*Marion & Rye Valley Ry. Co.*, 106 I. C. C. 15.

1195. Final value for rate-making purposes of the property of the Marion and Rye Valley Railway Company, owned and used for common-carrier purposes, found to be \$317,177, as of June 30, 1916, and used but not owned \$30,290.

*Mineral Point & Northern Ry. Co.*, 106 I. C. C. 27.

1196. Final value for rate-making purposes of the property of the Mineral Point and Northern Railway Company, owned and used for common-carrier purposes, found to be \$556,927, as of June 30, 1917.

*Marion & Eastern R. R. Co.*, 106 I. C. C. 38.

1197. Final value for rate-making purposes of the property of the Marion & Eastern Railroad Company owned, and used for common-carrier purposes, found to be \$80,000, as of June 30, 1916.

*Louisiana Ry. & Nav. Co.*, 106 I. C. C. 47.

1198. A protest against a tentative valuation, to be considered by the commission, must be filed within the period of time fixed by the statute for the filing of protests.

1199. Final value for rate-making purposes of the property of the Louisiana Railway & Navigation Company, owned and used for common-carrier purposes, found to be \$10,796,479 as of June 30, 1917, and owned but not used \$60,000.

*Milstead R. R. Co.*, 106 I. C. C. 67.

1200. Final value for rate-making purposes of the property of the Milstead Railroad Company, owned and used for common-carrier purposes, found to be \$31,706, as of June 30, 1916, and of property used but not owned, \$218.

*Central Indiana Ry. Co.*, 106 I. C. C. 75.

1201. Final Value for rate-making purposes of the property of the Central Indiana Railway Company, owned and used for common-carrier purposes, found to be \$1,904,560, as of June 30, 1917, and used but not owned, \$595.

*Lake Champlain & Moriah R. R. Co.*, 106 I. C. C. 99.

1202. Final value for rate-making purposes of the property of Lake Champlain and Moriah Rail Road Company owned and used for common-carrier purposes, found to be \$700,000, as of June 30, 1916.

*Gulf & Ship Island R. R. Co.*, 106 I. C. C. 111.

1203. Protest of the Gulf and Ship Island Railroad Company against the tentative valuation of its property considered and determined.

1204. Final value for rate-making purposes of the property of the Gulf and Ship Island Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$9,034,850, and used but not owned, \$1,452.

*Lithonia & Arabia Mountain Ry. Co.*, 106 I. C. C. 141.

1205. Final value for rate-making purposes of the property of the Lithonia & Arabia Mountain Railway Company, owned and used for common-carrier purposes, found to be \$47,000, as of June 30, 1916, and of property used but not owned, \$4,858.

*Massillon Belt Ry. Co.*, 106 I. C. C. 147.

1206. Final value for rate-making purposes of the property of the Masillon Belt Railway Company, owned and used for common-carrier purposes, found to be \$19,123 as of June 30, 1916.

*Georgia Southern & Florida Ry. Co.*, 106 I. C. C. 155.

1207. Protest of the Georgia Southern and Florida Railway Company against the tentative valuation of its property considered and discussed.

1208. Final value for rate-making purposes of the property of the Georgia Southern and Florida Railway Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$9,451,992 and used but not owned \$8,199, and owned but not used \$294.

*Delray Connecting R. R. Co.*, 106 I. C. C. 192.

1209. Final value for rate-making purposes of the property of the Delray Connecting Railroad Company, owned and used for common-carrier purposes, found to be \$1,278,000, as of June 30, 1918, and used but not owned \$65,310.

*Alabama Central Ry.*, 106 I. C. C. 211.

1210. Final value for rate-making purposes of the property of the Alabama Central Railway, owned and used for common-carrier purposes, found to be \$78,095 as of June 30, 1915.

*Doniphan, Kensett & Searcy Ry.*, 106 I. C. C. 218.

1211. Final value for rate-making purposes of the property of Doniphan, Kensett and Searcy Railway, owned and used for common-carrier purposes, found to be \$39,770, as of June 30, 1917, and of property used but not owned \$12,140.

*Sewell Valley R. R. Co.*, 106 I. C. C. 236.

1212. Final value for rate-making purposes of the property of the Sewell Valley Railroad Company, owned and used for common-carrier purposes, found to be \$423,365, as of June 30, 1916, and of the property used but not owned \$232,000.

*Mountain Central Ry. Co.*, 106 I. C. C. 257.

1213. Final value for rate-making purposes of the property of the Mountain Central Railway Company, owned and used for common-carrier purposes, found to be \$58,005 as of June 30, 1917.

*Tennessee & North Carolina R. R. Co.*, 106 I. C. C. 265.

1214. Final value for rate-making purposes of the property of the Tennessee and North Carolina Railroad Company, owned and used for common-carrier purposes, found to be \$431,322, as of June 30, 1916, property used but not owned \$508,163, and property owned but not used \$1,500.

1215. Final value for rate-making purposes of the property of The Pigeon River Railway Company, owned but not used, leased to the Tennessee and North Carolina Railroad Company, found to be \$335,000 as of June 30, 1916.

*Mississippi Eastern Ry. Co.*, 106 I. C. C. 293.

1216. Final value for rate-making purposes of the property of the Mississippi Eastern Railway Company, owned and used for common-carrier purposes, found to be \$227,206 as of June 30, 1915, and of property used but not owned \$23.

*Akron Union Passenger Depot Co.*, 106 I. C. C. 305.

1217. Protest of the Akron Union Passenger Depot Company against the tentative valuation of its property considered and determined.

1218. Final value for rate-making purposes of the property of the Akron Union Passenger Depot Company owned and used for common-carrier purposes, as of June 30, 1916, found to be \$401,713 and of the property used but not owned, \$4,050.

*Muncie & Western R. R. Co.*, 106 I. C. C. 318.

1219. Final value for rate-making purposes of the property of the Muncie and Western Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$41,900, and of property used but not owned \$2,144.

*Arizona Southern R. R. Co.*, 106 I. C. C. 330.

1220. Final value for rate-making purposes of the property of the Arizona Southern Railroad Company owned and used for common-carrier purposes, found to be \$332,288, as of June 30, 1915.

*Monson R. R. Co.*, 106 I. C. C. 339.

1221. Final value for rate-making purposes of the property of the Monson Railroad Company, owned and used for common-carrier purposes, found to be \$77,113, as of June 30, 1916.

*New Park & Fawn Grove R. R.*, 106 I. C. C. 347.

1222. Final value for rate-making purposes of the property of the New Park and Fawn Grove Railroad, owned and used for common-carrier purposes, found to be \$106,020, as of June 30, 1916.

*Stewartstown R. R. Co.*, 106 I. C. C. 357.

1223. Final value for rate-making purposes of the property of the Stewartstown Railroad Company, owned and used for common-carrier purposes, found to be \$156,040, as of June 30, 1916.

*Muncie Belt Ry. Co.*, 106 I. C. C. 367.

1224. Final value for rate-making purposes of the property of the Muncie Belt Railway Company, owned and used for common-carrier purposes, found to be \$62,654, and used but not owned, \$1,373, as of June 30, 1915.

*Amador Central R. R. Co.*, 106 I. C. C. 377.

1225. Final value for rate-making purposes of the property of the Amador Central Railroad Company owned and used for common-carrier purposes, found to be \$361,456, as of June 30, 1916, and of property used but not owned, \$128.

*Montreal & Atlantic Ry. Co.*, 106 I. C. C. 388.

1226. Final value for rate-making purposes of the property of the Montreal and Atlantic Railway Company owned and used for common-carrier purposes, found to be \$872, as of June 30, 1916, and of property used but not owned, \$1,009,000.

*Ohio & Kentucky Ry. Co.*, 106 I. C. C. 398.

1227. Final value for rate-making purposes of the property of the Ohio & Kentucky Railway Company, owned and used for common-carrier purposes, found to be \$632,000, as of June 30, 1917, and of property used but not owned, \$185,068.

*Rome & Northern R. R. Co.*, 106 I. C. C. 422.

1228. Final value for rate-making purposes of the property of Rome and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$265,925, as of June 30, 1915, and of property used but not owned \$17,500.



*New Mexico Central R. R. Co.*, 106 I. C. C. 435.

1229. Final value for rate-making purposes of the property of the New Mexico Central Railroad Company, owned and used for common-carrier purposes, found to be \$1,365,024, as of June 30, 1916.

*Bingham & Garfield Ry. Co.*, 106 I. C. C. 450.

1230. Final value for rate-making purposes of the property of the Bingham & Garfield Railway Company owned and used for common-carrier purposes, found to be \$5,827,183, as of June 30, 1916, of the property owned but not used \$67,000, and of the property used but not owned \$3,260.

*Cache Valley R. R. Co.*, 106 I. C. C. 467.

1231. Final value for rate-making purposes of the property of the Cache Valley Railroad Company, owned and used for common-carrier purposes, as of June 30, 1917, found to be \$60,256, and used but not owned \$12,971.

*Oneida & Western R. R. Co.*, 106 I. C. C. 479.

1232. Final value for rate-making purposes of the property of the Oneida & Western Railroad Company, owned and used for common-carrier purposes, found to be \$625,000 as of June 30, 1918.

*Mississippi River & Bonne Terec Ry.*, 106 I. C. C. 492.

1233. Final value for rate-making purposes of the property of the Mississippi River and Bonne Terre Railway owned and used for common-carrier purposes, found to be \$3,551,550, as of June 30, 1914, and of property used but not owned, \$135.

*Central R. R. of Oregon*, 106 I. C. C. 511.

1234. Final value for rate-making purposes of the property of the Central Railroad of Oregon, owned and used for common-carrier purposes, found to be \$106,882, as of June 30, 1916, and of property used but not owned, \$7,568.

*Raquette Lake Ry. Co.*, 106 I. C. C. 525.

1235. Final value for rate-making purposes of the property of the Raquette Lake Railway Company, owned and used for common-carrier purposes, found to be \$355,427, as of June 30, 1917.

*Chattahoochee Valley Ry. Co.*, 106 I. C. C. 539.

1236. Final value for rate-making purposes of the property of the Chattahoochee Valley Railway Company, owned and used for common-carrier purposes, found to be \$585,137, as of June 30, 1917, and of the property used but not owned, \$4,223.

*Cimarron & Northwestern Ry. Co.*, 106 I. C. C. 560.

1237. Final value for rate-making purposes of the property of the Cimarron and Northwestern Railway Company, owned and used for common-carrier purposes, found to be \$226,810, as of June 30, 1916.

*Mount Hood R. R. Co.*, 106 I. C. C. 572.

1238. Final value for rate-making purposes of the property of Mount Hood Railroad Company, owned and used for common-carrier purposes, found to be. \$507,032, as of June 30, 1916, and of property used but not owned, \$431.

*Pecos Valley Southern Ry. Co.*, 106 I. C. C. 587.

1239. Final value for rate-making purposes of the property of the Pecos Valley Southern Railway Company, owned and used for common-carrier purposes, found to be \$373,409, as of June 30, 1917, and of property used but not owned, \$263.

*Oregon, Pacific & Eastern Ry. Co.*, 106 I. C. C. 598.

1240. Final value for rate-making purposes of the property of the Oregon, Pacific and Eastern Railway Company, owned and used for common-carrier purposes, found to be \$321,117, as of June 30, 1917, and of property used but not owned, \$7,100.

*Mascot & Western R. R. Co.*, 106 I. C. C. 611.

1241. Final value for rate-making purposes of the property of the Mascot and Western Railroad Company, owned and used for common-carrier purposes, found to be \$133,717, as of June 30, 1917, and of property used but not owned, \$46,350.

*Pine Bluff & Northern Ry. Co.*, 106 I. C. C. 621.

1242. Final value for rate-making purposes of the property of Pine Bluff and Northern Railway Company, owned and used for common-carrier purposes, found to be \$23,516, as of June 30, 1916, and used but not owned, \$16,242.

*Philadelphia & Beach Haven R. R. Co.*, 106 I. C. C. 629.

1243. Final valuation for rate-making purposes of the property of the Philadelphia and Beach Haven Railroad Company, owned and used for common-carrier purposes, found to be \$250,000, as of June 30, 1916, and of property owned but not used, \$5,500.

*Nevada Transportation Co.*, 106 I. C. C. 639.

1244. Final value for rate-making purposes of the property of the Nevada Transportation Company, owned and used for common-carrier purposes, found to be \$35,762, as of June 30, 1917, and of the property used but not owned, \$564,000.

*Pickens R. R. Co.*, 106 I. C. C. 655.

1245. Final value for rate-making purposes of the property of Pickens Railroad Company, owned and used for common-carrier purposes, found to be \$126,426, as of June 30, 1916.

*Ouachita & Northwestern R. R. Co.*, 106 I. C. C. 667.

1246. Final value for rate-making purposes of the property of Ouachita and Northwestern Railroad Company, owned and used for common-carrier purposes, found to be \$354,944, as of June 30, 1916.

*Northwestern Coal Ry. Co.*, 106 I. C. C. 678.

1247. Final value for rate-making purposes of the property of the Northwestern Coal Railway Company, owned and used for common-carrier purposes, found to be \$77,500, as of June 30, 1915.

*Moscow, Camden & San Augustine Ry. Co.*, 106 I. C. C. 689.

1248. Final value for rate-making purposes of the property of Moscow, Camden and San Augustine Railway Company, owned and used for common-carrier purposes, found to be \$76,456, as of June 30, 1918.

*Iowa Transfer Ry. Co.*, 106 I. C. C. 699.

1249. Final value for rate-making purposes of the property of the Iowa Transfer Railway Company, owned and used for common-carrier purposes, found to be \$63,000, as of June 30, 1918.

*De Queen & Eastern R. R. Co.*, 106 I. C. C. 714.

1250. Final value for rate-making purposes of the De Queen & Eastern Railroad Company, owned and used for common-carrier purposes, as of June 30, 1918, found to be \$532,120.

*Groveton, Lufkin & Northern Ry. Co.*, 106 I. C. C. 731.

1251. Final value for rate-making purposes of the property of the Groveton, Lufkin & Northern Railway Company, owned and used for common-carrier purposes, found to be \$291,840 as of June 30, 1919, and owned but not used, \$250.

*Quincy Western Ry. Co.*, 106 I. C. C. 746.

1252. Final value for rate-making purposes of the property of the Quincy Western Railway Company, owned and used for common-carrier purposes, found to be \$61,727, as of June 30, 1915, and used but not owned, \$1,486.

*Washington, Potomac & Chesapeake Ry. Co.*, 106 I. C. C. 753.

1253. Final value for rate-making purposes of the property of the Washington, Potomac & Chesapeake Railway Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$216,656, and of property owned but not used, \$40,000.

*Rosslyn Connecting R. R. Co.*, 106 I. C. C. 762.

1254. Final value for rate-making purposes of the property of the Rosslyn Connecting Railroad Company, owned and used for common-carrier purposes, found to be \$230,000, as of June 30, 1915, and used but not owned, \$34,245.

*Sandersville R. R. Co.*, 106 I. C. C. 769.

1255. Final value for rate-making purposes of the property of the Sandersville Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$46,673, and of property used but not owned, \$10,719.

*Hartford Eastern Ry. Co.*, 106 I. C. C. 777.

1256. Final value for rate-making purposes of the property of the Hartford Eastern Railway Company, owned and used for common-carrier purposes, found to be \$13,816, as of June 30, 1917, and used but not owned, \$1,861,000.

*Marion & Southern R. R. Co.*, 106 I. C. C. 789.

1257. Final value for rate-making purposes of the property of the Marion and Southern Railroad Company, owned and used for common-carrier purposes, found to be \$11,500, as of June 30, 1918, and of the property owned but not used, \$115,500.

*St. Johns River Terminal Co.*, 106 I. C. C. 803.

1258. Final value for rate-making purposes of the property of the St. Johns River Terminal Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$1,880,300; of property used but not owned, \$405; and of property owned but not used, \$600.

*Puget Sound & Cascade Ry. Co.*, 106 I. C. C. 818.

1259. Final value for rate-making purposes of the property of the Puget Sound & Cascade Railway Company, owned and used for common-carrier purposes, found to be \$427,902, as of June 30, 1917.

*Blytheville, Burdette & Mississippi River Ry. Co.*, 108 I. C. C. 1.

1260. Final value for rate-making purposes of the property of the Blytheville, Burdette & Mississippi River Railway Company, owned and used for common-carrier purposes, found to be \$115,154, as of June 30, 1916, and of property used but not owned, \$5,326.

*Trinity Valley & Northern Ry. Co.*, 108 I. C. C. 12.

1261. Final value for rate-making purposes of the property of the Trinity Valley & Northern Railway Company, owned and used for common-carrier purposes, found to be \$102,240, as of June 30, 1919, of property used but not owned, \$36,500, and of property owned but not used, \$396.

*Potomac, Fredericksburg & Piedmont R. R. Co.*, 108 I. C. C. 25.

1262. Final value for rate-making purposes of the property of the Potomac, Fredericksburg and Piedmont Railroad Company, owned and used for common-carrier purposes, found to be \$561,234, as of June 30, 1916.

*Ray & Gila Valley R. R. Co.*, 108 I. C. C. 35.

1263. Final value for rate-making purposes of the property of the Ray & Gila Valley Railroad Company, owned and used for common-carrier purposes, found to be \$627,593, as of June 30, 1915, and owned but not used, \$136,897.

*Texas, Oklahoma & Eastern R. R. Co.*, 108 I. C. C. 47.

1264. Final value for rate-making purposes of the property of the Texas, Oklahoma & Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$511,050, as of June 30, 1918, and of property used but not owned, \$35,172.

*Fernwood & Gulf R. R. Co.*, 108 I. C. C. 62.

1265. Final value for rate-making purposes of the property of the Fernwood and Gulf Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$579,632.

*Barnegat R. R. Co.*, 108 I. C. C. 78.

1266. Final value for rate-making purposes of the property of the Barnegat Railroad Company, owned and used for common-carrier purposes, found to be \$86,282, as of June 30, 1916, and of property used but not owned, \$5,500.

*Caddo & Choctaw R. R. Co.*, 108 I. C. C. 89.

1267. Final value for rate-making purposes of the property of the Caddo and Choctaw Railroad Company, owned and used for common-carrier purposes, found to be \$237,499, as of June 30, 1916, and of property used but not owned, \$662.



*Bonlee & Western Ry. Co.*, 108 I. C. C. 99.

1268. Final value for rate-making purposes of the property of the Bonlee & Western Railway Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$73,004.

*Aberdeen & Rockfish R. R. Co.*, 108 I. C. C. 107.

1269. Final value for rate-making purposes of the property of the Aberdeen and Rockfish Railroad Company, owned and used for common-carrier purposes, found to be \$510,000, as of June 30, 1917.

*Albany Passenger Terminal Co.*, 108 I. C. C. 121.

1270. Protests of the Albany Passenger Terminal Company against the tentative and supplemental tentative valuations of its property considered and determined.

1271. Final value for rate-making purposes of the property of the Albany Passenger Terminal Company, owned and used for common-carrier purposes, found to be \$158,901, as of June 30, 1915.

*Cazenovia Southern R. R. Co.*, 108 I. C. C. 131.

1272. Final value for rate-making purposes of the property of the Cazenovia Southern Railroad Company, owned and used for common-carrier purposes, found to be \$57,000, as of June 30, 1917.

*St. Francois County R. R. Co.*, 108 I. C. C. 141.

1273. Final value for rate-making purposes of the property of the St. Francois County Railroad Company, owned and used for common-carrier purposes, found to be \$190,190, as of June 30, 1914.

*Randolph & Cumberland Ry. Co.*, 108 I. C. C. 154.

1274. Final value for rate-making purposes of the property of the Randolph and Cumberland Railway Company, owned and used for common-carrier purposes, found to be \$95,581 as of June 30, 1918, and used but not owned, \$90,000.

*Sandy River & Rangeley Lakes R. R.*, 108 I. C. C. 173.

1275. Final value for rate-making purposes of the property of the Sandy River & Rangeley Lakes Railroad, owned and used for common-carrier purposes, found to be \$1,359,427, as of June 30, 1916.

*Oklahoma, Kansas & Missouri Ry. Co.*, 108 I. C. C. 186.

1276. Final value for rate-making purposes of the property of the Oklahoma, Kansas and Missouri Railway Company, owned and used for common-carrier purposes, found to be \$299,720, as of June 30, 1919.

*Smoky Mountain Ry. Co.*, 108 I. C. C. 200.

1277. Final value for rate-making purposes of the property of the Smoky Mountain Railway Company, owned and used for common-carrier purposes, found to be \$125,187, as of June 30, 1915, and of property used but not owned, \$18,607.

*Spokane & British Columbia Ry. Co.*, 108 I. C. C. 209.

1278. Final value for rate-making purposes of the property of the Spokane and British Columbia Railway Company, owned and used for common-carrier purposes, found to be \$722,423, as of June 30, 1915.

*Santa Fe, Raton & Eastern R. R. Co.*, 108 I. C. C. 221.

1279. Final value for rate-making purposes of the property of the Santa Fe, Raton and Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$201,227, as of June 30, 1916, and of property used but not owned, \$25,000.

*New Orleans, Natalbany & Natchez Ry. Co.*, 108 I. C. C. 232.

1280. Final value for rate-making purposes of the property of the New Orleans, Natalbany and Natchez Railway Company, owned and used for common-carrier purposes, found to be \$368,769, as of June 30, 1916, and of property used but not owned, \$12,850.

*San Joaquin & Eastern R. R. Co.*, 108 I. C. C. 245.

1281. Final value for rate-making purposes of the property of the San Joaquin & Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$1,148,000, as of June 30, 1916.

*Stanley, Merrill & Phillips Ry. Co.*, 108 I. C. C. 260.

1282. Final value for rate-making purposes of the property of Stanley, Merrill & Phillips Railway Company, owned and used for common-carrier purposes, found to be \$571,789, as of June 30, 1916.

*South San Francisco Belt Ry.*, 108 I. C. C. 270.

1283. Final value for rate-making purposes of the property of South San Francisco Belt Railway, owned and used for common-carrier purposes, found to be \$69,498, as of June 30, 1916, and of property used but not owned \$14,927.

*South Manchester R. R. Co.*, 108 I. C. C. 278.

1284. Final value for rate-making purposes of the property of South Manchester Railroad Company, owned and used for common-carrier purposes, found to be \$171,188, as of June 30, 1916, and of property used but not owned, \$13,237.

*Sardis & Delta R. R. Co.*, 108 I. C. C. 287.

1285. Final value for rate-making purposes of the property of the Sardis & Delta Railroad Company, owned and used for common-carrier purposes, found to be \$116,000, as of June 30, 1916.

*Baltimore & Sparrows Point R. R. Co.*, 108 I. C. C. 295.

1286. Final value for rate-making purposes of the property of the Baltimore and Sparrows Point Railroad Company, owned and used for common-carrier purposes, found to be \$281,500, as of June 30, 1915, and used but not owned, \$80,000.

*Talbotton R. R. Co.*, 108 I. C. C. 307.

1287. Final value for rate-making purposes of the property of the Talbotton Railroad Company, owned and used for common-carrier purposes, found to be \$78,957, as of June 30, 1915.

*Tug River & Kentucky R. R. Co.*, 108 I. C. C. 315.

1288. Final value for rate-making purposes of the property of the Tug River and Kentucky Railroad Company, owned and used for common-carrier purposes, found to be \$381,630, as of June 30, 1916.

*Tampa & Jacksonville Ry. Co.*, 108 I. C. C. 326.

1289. Final value for rate-making purposes of the property of Tampa & Jacksonville Railway Company, owned and used for common-carrier purposes, found to be \$500,000, as of June 30, 1915, and of property owned but not used, \$24.

*Sault Ste. Marie Bridge Co.*, 108 I. C. C. 342.

1290. Final value for rate-making purposes of the property of the Sault Ste. Marie Bridge Company, owned and used for common-carrier purposes, found to be \$500,750, as of June 30, 1916.

*Beaver Valley R. R. Co.*, 108 I. C. C. 350.

1291. Final value for rate-making purposes of the property of the Beaver Valley Railroad Company, owned and used for common-carrier purposes, found to be \$110,152, as of June 30, 1916.

*Laurinburg & Southern R. R. Co.*, 108 I. C. C. 358.

1292. Final value for rate-making purposes of the property of the Laurinburg & Southern Railroad Company, owned and used for common-carrier purposes, found to be \$217,600, as of June 30, 1917, and of the property used but not owned, \$4,253.

*Canadian Pacific Ry. Co.*, 108 I. C. C. 373.

1293. Final value for rate-making purposes of the property of the Canadian Pacific Railway Company, located in the United States, owned and used for common-carrier purposes, found to be \$750,000, as of June 30, 1916, of property owned but not used, \$9,500, and of property used but not owned, \$6,319,079.

*Roanoke River Ry. Co.*, 108 I. C. C. 400.

1294. Final value for rate-making purposes of the property of the Roanoke River Railway Company, owned and used for common-carrier purposes, found to be \$160,000, as of June 30, 1918.

*Mount Jewett, Kinzua & Riterville R. R. Co.*, 108 I. C. C. 410.

1295. Final value for rate-making purposes of the property of the Mount Jewett, Kinzua and Riterville Railroad Company, owned and used for common-carrier purposes, found to be \$87,850, as of June 30, 1917, and of property used but not owned, \$256,116.

*Virginia Southern R. R. Co.*, 108 I. C. C. 460.

1296. Final value for rate-making purposes of the property of the Virginia Southern Railroad Company, owned and used for common-carrier purposes, found to be \$127,551, as of June 30, 1916.

*Woodstock Ry. Co.*, 108 I. C. C. 467.

1297. Final value for rate-making purposes of the property of the Woodstock Railway Company, owned and used for common-carrier purposes, found to be \$489,213, as of June 30, 1917.

*Tuckerton R. R. Co.*, 108 I. C. C. 479.

1298. Final value for rate-making purposes of the property of the Tuckerton Railroad Company, owned and used for common-carrier purposes, found to be \$503,946, as of June 30, 1916.

*Washington & Choctaw Ry. Co.*, 108 I. C. C. 491.

1299. Final value for rate-making purposes of the property of the Washington and Choctaw Railway Company, owned and used for common-carrier purposes, found to be \$147,865, as of June 30, 1915.

*Thornton & Alexandria Ry. Co.*, 108 I. C. C. 499.

1300. Final value for rate-making purposes of the property of the Thornton & Alexandria Railway Company, owned and used for common-carrier purposes, found to be \$241,411, as of June 30, 1916, and of property used but not owned, \$2,131.

*Hannibal Connecting R. R. Co.*, 108 I. C. C. 510.

1301. Under the procedure provided in section 19a (i) of the interstate commerce act this commission is not required to receive evidence in support of its conclusions as expressed in a tentative valuation prior to the submission by a protestant at the hearing on a protest of evidence of sufficient weight to raise a serious question as to their accuracy.

1302. Final value for rate-making purposes of the property of the Hannibal Connecting Railroad Company, owned and used for common-carrier purposes, found to be \$104,000, as of June 30, 1918, and used but not owned, \$5,056.

*Trinity Valley Southern R. R. Co.*, 108 I. C. C. 526.

1303. Final value for rate-making purposes of the property of the Trinity Valley Southern Railroad Company, owned and used for common-carrier purposes, found to be \$41,325, as of June 30, 1917, and of property used but not owned, \$3,250.

*Angelina & Neches River R. R. Co.*, 108 I. C. C. 539.

1304. Final value for rate-making purposes of the property of the Angelina & Neches River Railroad Company, owned and used for common-carrier purposes, found to be \$281,349, as of June 30, 1919, and of property used but not owned, \$740.

*Cement, Tolenas & Tidewater R. R. Co.*, 108 I. C. C. 555.

1305. Final value for rate-making purposes of the property owned and used for common-carrier purposes by the Cement, Tolenas & Tidewater Railroad Company, found to be \$112,002, as of June 30, 1916.

*Alabama Northern Ry. Co.*, 108 I. C. C. 564.

1306. Final value for rate-making purposes of the property of the Alabama Northern Railway Company, owned and used for common-carrier purposes, found to be \$88,000, as of June 30, 1914, and of property used but not owned, \$4,400.

*Waupaca-Green Bay Ry.*, 108 I. C. C. 572.

1307. Final value for rate-making purposes of the property of the Waupaca-Green Bay Railway, owned and used for common-carrier purposes, found to be \$114,201, as of June 30, 1916.



*South Georgia Ry. Co.*, 108 I. C. C. 581.

1308. Final value for rate-making purposes of the property of the South Georgia Railway Company, owned and used for common-carrier purposes, found to be \$657,800, as of June 30, 1917, and of property used but not owned, \$260,263.

*Minneapolis, Red Lake & Manitoba Ry. Co.*, 108 I. C. C. 605.

1309. Final value for rate-making purposes of the property of the Minneapolis, Red Lake and Manitoba Railway Company, owned and used for common-carrier purposes, found to be \$567,090, as of June 30, 1918, and of property use not owned, \$6.

*Tabor & Northern Ry. Co.*, 108 I. C. C. 620.

1310. Final value for rate-making purposes of the property of the Tabor & Northern Railway Company, owned and used for common-carrier purposes, found to be \$120,000, as of June 30, 1918, and of property used but not owned, \$4,181.

*Tremont & Gulf Ry. Co.*, 108 I. C. C. 629.

1311. Final value for rate-making purposes of the property of the Tremont & Gulf Railway Company, owned and used for common-carrier purposes, found to be \$1,222,430, as of June 30, 1916.

*White Oak Ry. Co.*, 108 I. C. C. 650.

1312. Final value for rate-making purposes of the property of the White Oak Railway Company, owned but not used, leased to other carriers for common-carrier purposes, found to be \$400,000, as of June 30, 1916.

*Abilene & Southern Ry. Co.*, 108 I. C. C. 660.

1313. Final value for rate-making purposes of the property of the Abilene & Southern Railway Company, owned and used for common-carrier purposes, found to be \$830,577, as of June 30, 1918.

*Yreka R. R. Co.*, 108 I. C. C. 677.

1314. Final value for rate-making purposes of the property of the Yreka Railroad Company, owned and used for common-carrier purposes, found to be \$103,142, as of June 30, 1917.

*White River R. R. Co.*, 108 I. C. C. 687.

1315. Final value for rate-making purposes of the property of the White River Railroad Company, owned and used for common-carrier purposes, found to be \$392,223, as of June 30, 1917.

*Wiscasset, Waterville & Farmington Ry. Co.*, 108 I. C. C. 697.

1316. Final value for rate-making purposes of the property of the Wiscasset, Waterville and Farmington Railway Company, owned and used for common-carrier purposes, found to be \$500,168, as of June 30, 1916.

*Verde Tunnel & Smelter R. R. Co.*, 108 I. C. C. 712.

1317. Final value for rate-making purposes of the property of the Verde Tunnel & Smelter Railroad Company, owned and used for common-carrier purposes, found to be \$577,101, as of June 30, 1917.

*Warren & Ouachita Valley Ry. Co.*, 108 I. C. C. 721.

1318. Final value for rate-making purposes of the property of the Warren & Ouachita Valley Railway Company, owned and used for common-carrier purposes, found to be \$245,360, as of June 30, 1918.

*Willamette Valley & Coast R. R. Co.*, 108 I. C. C. 738.

1319. Final value for rate-making purposes of the property of the Willamette Valley and Coast Railroad Company, owned and used for common-carrier purposes, found to be \$95,033, as of June 30, 1917.

*Ware Shoals R. R. Co.*, 108 I. C. C. 747.

1320. Final value for rate-making purposes of the property of Ware Shoals Railroad Company, owned and used for rate-making purposes, found to be \$618, as of June 30, 1916, and of property used but not owned, \$76,000.

*Texas Short Line Ry. Co.*, 108 I. C. C. 758.

1321. Final value for rate-making purposes of the property of the Texas Short Line Railway Company, owned and used for common-carrier purposes, found to be \$196,836, as of June 30, 1918.

*St. John & Ophir R. R. Co.*, 108 I. C. C. 774.

1322. A protest against a tentative valuation, to be considered by the commission, must be filed within the period of time fixed by the statute for the filing of protests.

1323. Final value for rate-making purposes of the property of the St. John & Ophir Railroad Company, owned and used for common-carrier purposes, found to be \$123,951, as of June 30, 1915.

*Rio Grande & Eagle Pass Ry. Co.*, 108 I. C. C. 781.

1324. Final value for rate-making purposes of the Rio Grande and Eagle Pass Railway Company, owned and used for common-carrier purposes, found to be \$608,875, as of June 30, 1917.

*Atlantic, Waycross & Northern R. R. Co.*, 108 I. C. C. 805.

1325. Final value for rate-making purposes of the property of Atlantic, Waycross and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$88,500 as of June 30, 1918, and of property used but not owned, \$99.

*Garyville Northern R. R. Co.*, 108 I. C. C. 817.

1326. Final value for rate-making purposes of the property of the Garyville Northern Railroad Company, owned and used for common-carrier purposes, found to be \$256,220, as of June 30, 1919, and of the property used but not owned, \$77,676.

*Bevier & Southern R. R. Co.*, 110 I. C. C. 1.

1327. Final value for rate-making purposes of the property of the Bevier & Southern Railroad Company, owned and used for common-carrier purposes, found to be \$217,550, as of June 30, 1918.

*Macomb, Industry & Littleton Ry. Co.*, 110 I. C. C. 12.

1328. Final value for rate-making purposes of the property of the Macomb, Industry and Littleton Railway Company, owned and used for common-carrier purposes, found to be \$215,490, as of June 30, 1918.

*Kanawha, Glen Jean & Eastern R. R. Co.*, 110 I. C. C. 23.

1329. Final value for rate-making purposes of the property of the Kanawha, Glen Jean and Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$651,500, as of June 30, 1916.

*Galesburg & Great Eastern R. R. Co.*, 110 I. C. C. 35.

1330. Final value for rate-making purposes of the property of the Galesburg & Great Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$105,070, as of June 30, 1918.

*Atlantic Northern Ry. Co.*, 110 I. C. C. 45.

1331. Final value for rate-making purposes of the property of the Atlantic Northern Railway Company, owned and used for common-carrier purposes, found to be \$257,000, as of June 30, 1918.

*Chattanooga Station Co.*, 110 I. C. C. 55.

1332. Final value for rate-making purposes of the property of the Chattanooga Station Company, owned and used for common-carrier purposes, found to be \$1,100,000, as of June 30, 1916, of the property owned but not used \$18,000, and of the property used but not owned, \$29,021.

*Manila & Southwestern Ry. Co.*, 110 I. C. C. 74.

1333. Final value for rate-making purposes of the property of the Manila and Southwestern Railway Company, owned and used for common-carrier purposes, found to be \$45,000, as of June 30, 1917, and of property used but not owned, \$1,275.

*Alcolu R. R. Co.*, 110 I. C. C. 83.

1334. Final value for rate-making purposes of the property of the Alcolu Railroad Company, owned and used for common-carrier purposes, found to be \$258,000, as of June 30, 1917.

*Florida, Alabama & Gulf R. R. Co.*, 110 I. C. C. 94.

1335. Final value for rate-making purposes of the property of the Florida, Alabama & Gulf Railroad Company, owned and used for common-carrier purposes, found to be \$127,625, as of June 30, 1917, and of property used but not owned, \$53,076.

*Jefferson & Northwestern Ry. Co.*, 110 I. C. C. 109.

1336. Final value for rate-making purposes of the property of Jefferson & Northwestern Railway Company, owned and used for common-carrier purposes, found to be \$330,660, as of June 30, 1918, and of property used but not owned, \$24,277.

*Virginia Blue Ridge Ry.*, 110 I. C. C. 126.

1337. Final value for rate-making purposes of the property of the Virginia Blue Ridge Railway, owned and used for common-carrier purposes, found to be \$300,000, as of June 30, 1917.

*Union Depot Co.*, 110 I. C. C. 139.

1338. Final value for rate-making purposes of the property of the Union Depot Company (Columbus, Ohio), owned and used for common-carrier purposes, found to be 51,575,000, as of June 30, 1916, of property used but not owned \$21,412, and of property owned but not used \$196,133.

*Sligo & Eastern R. R. Co.*, 110 I. C. C. 154.

1339. Final value for rate-making purposes of the property of the Sligo & Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$230,500, as of June 30, 1917, and of property used but not owned, \$184,924.

*Spokane International Ry. Co.*, 110 I. C. C. 173.

1340. Final value for rate-making purposes of the property of the Spokane International Railway Company, owned and used for common-carrier purposes, found to be \$4,860,121, as of June 30, 1917, and of property used but not owned, \$469,918.

*Coudersport & Port Allegany R. R.* 110 I. C. C. 195.

1341. Final value for rate-making purposes of the property of the Coudersport and Port Allegany Railroad, owned and used for common-carrier purposes, found to be \$601,435, as of June 30, 1917, and used but not owned, \$5,463.

*Motley County Ry.*, 110 I. C. C. 212.

1342. Final value for rate-making purposes of the property of the Motley County Railway Company, owned and used for common-carrier purposes, found to be \$93,000, as of June 30, 1918.

*Lufkin, Hemphill & Gulf Ry. Co.*, 110 I. C. C. 220.

1343. Final value for rate-making purposes of the property of the Lufkin, Hemphill & Gulf Railway Company, owned and used for common-carrier purposes, found to be \$117,072, as of June 30, 1917, and used but not owned, \$1,841.

*Hardwick & Woodbury R. R. Co.*, 110 I. C. C. 229.

1344. Final value for rate-making purposes of the property of the Hardwick & Woodbury Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$211,964, and of the property used but not owned, \$18,942.

*Dent's Run R. R. Co.*, 110 I. C. C. 239.

1345. Final value for rate-making purposes of the property of the Dent's Run Railroad Company, owned and used for common-carrier purposes, found to be \$60,361, as of June 30, 1917, and of property used but not owned, \$14,488.



*Hickory Valley R. R. Co.*, 110 I. C. C. 251.

1346. Final value for rate-making purposes of the property of the Hickory Valley Railroad Company, owned and used for common-carrier purposes, found to be \$52,000, as of June 30, 1917, and of property used but not owned, \$23,700.

*Milledgeville Ry. Co.*, 110 I. C. C. 262.

1347. Final value for rate-making purposes of the property of the Milledgeville Railway Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$70,551.

*Atlantic & Carolina R. R. Co.*, 110 I. C. C. 277.

1348. Final value for rate-making purposes of the property of the Atlantic & Carolina Railroad Company, owned and used for common-carrier purposes, found to be \$70,500, as of June 30, 1917.

*Alabama, Florida & Gulf R. R. Co.*, 110 I. C. C. 287.

1349. Final value for rate-making purposes of the property of the Alabama, Florida & Gulf Railroad Company, owned and used for common-carrier purposes, found to be \$195,810 as of June 30, 1918.

*Intermountain Ry. Co.*, 110 I. C. C. 299.

1350. Final value for rate-making purposes of the property of the Intermountain Railway Company, owned and used for common-carrier purposes, found to be \$991,127, as of June 30, 1916.

*Tooele Valley Ry. Co.*, 110 I. C. C. 310.

1351. Final value for rate-making purposes of the property of the Tooele Valley Railway Company owned and used for common-carrier purposes, as of June 30, 1915, found to be \$235,489, owned but not used, \$42,000, and used but not owned, \$1,005.

*Central Transfer Ry. and Storage Co.*, 110 I. C. C. 323.

1352. Final value for rate-making purposes of the property of the Central Transfer Railway and Storage Company, owned but used by other carriers for common-carrier purposes, found to be \$24,500, as of June 30, 1917.

*Ulster & Delaware R. R. Co.*, 110 I. C. C. 335.

1353. Final value for rate-making purposes of the property of the Ulster & Delaware Railroad Company, owned and used for common-carrier purposes, found to be \$6,468,019, as of June 30, 1916, and of property used but not owned, \$4,870.

*East Jordan & Southern R. R. Co.*, 110 I. C. C. 353.

1354. Final value for rate-making purposes of the property of the East Jordan & Southern Railroad Company, owned and used for common-carrier purposes, found to be \$401,738, as of June 30, 1918.

*Kentwood & Eastern Ry. Co.*, 110 I. C. C. 366.

1355. Final value for rate-making purposes of the property of the Kentwood & Eastern Railway Company, owned and used for common-carrier purposes, found to be \$343,427, as of June 30, 1916, and of property used but not owned, \$283,528.

*West Virginia Northern R. R. Co.*, 110 I. C. C. 385.

1356. Final value for rate-making purposes of the property of the West Virginia Northern Railroad Company, owned and used for common-carrier purposes, found to be \$174,563, as of June 30, 1918, and used but not owned, \$30,300.

*Sumter & Choctaw Ry. Co.*, 110 I. C. C. 405.

1357. Final value for rate-making purposes of the property of the Sumter & Choctaw Railway Company, owned and used for common-carrier purposes found to be \$251,188, as of June 30, 1917, and of property used but not owned, \$8,024.

*Lake Providence, Texarkana & Western R. R.*, 110 I. C. C. 419.

1358. Final value for rate-making purposes of the property of the Lake Providence, Texarkana and Western Railroad, owned and used for common-carrier purposes, found to be \$29,500, as of June 30, 1919, and of property used but not owned, \$7,291.

*Ashley, Drew & Northern Ry. Co.*, 110 I. C. C. 429.

1359. Final value for rate-making purposes of the property of the Ashley, Drew & Northern Railway Company, owned but not used, leased to and used by the Arkansas & Louisiana Midland Railway Company, for common-carrier purposes, found to be \$465,500, as of June 30, 1918.

*Midland Terminal Ry. Co.*, 110 I. C. C. 451.

1360. Final value for rate-making purposes of the property of the Midland Terminal Railway Company, owned and used for common-carrier purposes, found to be \$1,308,500, as of June 30, 1919, and of property used but not owned, \$1,430,000.

*Waukegan, Rockford & Elgin Traction Co.*, 110 I. C. C. 512.

1361. Final value for rate-making purposes of the property of the Waukegan, Rockford & Elgin Traction Company, owned and used for common-carrier purposes, found to be \$193,000, as of June 30, 1917.

*Brownstone & Middletown R. R. Co.*, 110 I. C. C. 520.

1362. Final value for rate-making purposes of the property of the Brownstone & Middletown Railroad Company, owned and used for common-carrier purposes, found to be \$70,378, as of June 30, 1917.

*Oakdale & Gulf Ry. Co.*, 110 I. C. C. 532.

1363. Final value for rate-making purposes of the property of the Oakdale & Gulf Railway Company, owned and used for common-carrier purposes, found to be \$16,530, as of June 30, 1919, and of property used but not owned, \$63,000.

*Tipton R. R. Co.*, 110 I. C. C. 544.

1364. Final value for rate-making purposes of the property of the Tipton Railroad Company, owned and used for common-carrier purposes, found to be \$29,500, as of June 30, 1918.

*Maxton, Alma & Southbound R. R. Co.*, 110 I. C. C. 553.

1365. Final value for rate-making purposes of the property of the Maxton, Alma and Southbound Railroad Company, owned and used for common-carrier purposes, found to be \$132,435, as of June 30, 1918, and of the property owned but not used, \$28,180.

*Bellefonte Central R. R. Co.*, 110 I. C. C. 569.

1366. Final value for rate-making purposes of the property of the Bellefonte Central Railroad Company, owned and used for common-carrier purposes, found to be \$363,570, as of June 30, 1917.

*New River, Holston & Western R. R. Co.*, 110 I. C. C. 583.

1367. Final value for rate-making purposes of the property of the New River, Holston and Western Railroad Company, owned and used for common-carrier purposes, found to be \$572,500, as of June 30, 1916.

*Tennessee, Alabama & Georgia R. R. Co.*, 110 I. C. C. 595.

1368. Final value for rate-making purposes of the property of the Tennessee, Alabama and Georgia Railroad Company, owned and used for common-carrier purposes, found to be \$1,372,809, as of June 30, 1917, and of property used but not owned, \$50,000.

*Illinois Midland Ry.*, 110 I. C. C. 618.

1369. Final value for rate-making purposes of the property of the Illinois Midland Railway, owned and used for common-carrier purposes, found to be \$18,500, as of June 30, 1918, and of property used but not owned, \$4,800.

*Wyoming & Missouri River R. R. Co.*, 110 I. C. C. 627.

1370. Final value for rate-making purposes of the property of the Wyoming & Missouri River Railroad Company, owned and used for common-carrier purposes, found to be \$150,414, as of June 30, 1919.

*Kishacoquillas Valley R. R. Co.*, 110 I. C. C. 640.

1371. Final value for rate-making purposes of the property of the Kishacoquillas Valley Railroad Company, owned and used for common-carrier purposes, found to be \$141,775, as of June 30, 1917.

*Ferdinand R. R. Co.*, 110 I. C. C. 650.

1372. Final value for rate-making purposes of the property of the Ferdinand Railroad Company, owned and used for common-carrier purposes, found to be \$84,280, as of June 30, 1917.

*Laona & Northern Ry. Co.*, 110 I. C. C. 662.

1373. Final value for rate-making purposes of the property of the Laona and Peach Orchard Railroad Company, owned and used for common-carrier purposes, found to be \$4,500, as of June 30, 1918, and of property used but not owned, \$695.

*Brookings & Peach Orchard R. R. Co.*, 110 I. C. C. 672.

1374. Final value for rate-making purposes of the property of the Brookings & Peach Orchard Railroad Company, owned and used for common-carrier purposes, found to be \$14,500, as of June 30, 1918, and of property used but not owned, \$695.

*Virginia & Kentucky Ry. Co.*, 110 I. C. C. 680.

1375. Final value for rate-making purposes of the property of the Virginia and Kentucky Railway Company, owned and used for common-carrier purposes, found to be \$55,321, as of June 30, 1916, and of property used but not owned, \$3,500.

*Fairport, Painesville & Eastern R. R. Co.*, 110 I. C. C. 692.

1376. Final value for rate-making purposes of the property of the Fairport, Painesville and Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$170,125, as of June 30, 1917, and of property used but not owned, \$3,500.

*Bloomsburg & Sullivan R. R. Co.*, 110 I. C. C. 710.

1377. Final value for rate-making purposes of the property of the Bloomsburg and Sullivan Railroad Company, owned and used for common-carrier purposes, found to be \$560,650, as of June 30, 1918.

*DeKalb & Western R. R. Co.*, 110 I. C. C. 724.

1378. Final value for rate-making purposes of the property of the DeKalb & Western Railroad Company, owned and used for common-carrier purposes, found to be \$192,000, as of June 30, 1917, and of property owned but not used \$38,000.

*Georgia Northern Ry. Co.*, 110 I. C. C. 742.

1379. Protests of the Georgia Northern Railway Company against the tentative and supplemental tentative valuations of its property considered and determined.

1380. Final value for rate-making purposes of the property of the Georgia Northern Railway Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$857,868.

*Augusta R. R. Co.*, 110 I. C. C. 756.

1381. Final value for rate-making purposes of the property of the Augusta Railroad Company, owned and used for common-carrier purposes, found to be \$31,436, as of June 30, 1918.

*Virginia-Carolina Ry. Co.*, 110 I. C. C. 767.

1382. Final value for rate-making purposes of the property of the Virginia-Carolina Railway Company, owned and use for common-carrier purposes, found to be \$1,812,415, as of June 30, 1916, and of property owned but not used \$14,400.

*Pittsburgh & Susquehanna R. R. Co.*, 110 I. C. C. 787.

1383. Final value for rate-making purposes of the property of the Pittsburgh & Susquehanna Railroad Company, owned and used for common-carrier purposes, found to be \$321,717, as of June 30, 1917, and of the property used but not owned, \$257.

*Philadelphia & Camden Ferry Co.*, 110 I. C. C. 805.

1384. Final value for rate-making purposes of the property of the Philadelphia and Camden Ferry Company, owned and used for common-carrier purposes, found to be \$2,815,351, as of June 30, 1916, of property owned but not used \$24,394, and of property used but not owned, \$83,084.



*Big Sandy & Cumberland R. R. Co.*, 110 I. C. C. 828.

1385. Final value for rate-making purposes of the property of the Big Sandy and Cumberland Railroad Company, owned and used for common-carrier purposes, found to be \$63,785, as of June 30, 1917, and of property used but not owned, \$255,311.

*Lake Eric & Fort Wayne R. R. Co.*, 114 I. C. C. 1.

1386. Final value for rate-making purposes of the property of the Lake Eric and Fort Wayne Railroad Company, owned and used for common-carrier purposes, found to be \$37,626, as of June 30, 1916, and of property used but not owned, \$4,133.

*Chicago, Milwaukee & Gary Ry. Co.*, 114 I. C. C. 16.

1387. Final value for rate-making purposes of the property of the Chicago, Milwaukee and Gary Railway Company, owned and used for common-carrier purposes, found to be \$2,789,475, as of June 30, 1915, and of property used but not owned, \$499.

*Portland & Southwestern R. R. Co.*, 114 I. C. C. 51.

1388. Final value for rate-making purposes of the property of the Portland & Southwestern Railroad Company, owned and used for common-carrier purposes, found to be \$330,616, as of June 30, 1917.

*Green Bay & Western R. R. Co.*, 114 I. C. C. 61.

1389. Final value for rate-making purposes of the properties of the Green Bay & Western Railroad Company, the Kewaunee, Green Bay & Western Railroad Company, and the Ahnapee & Western Railway Company, considered as one system, found to be \$7,264,197, as of June 30, 1916.

*Christie & Eastern Ry. Co.*, 114 I. C. C. 116.

1390. Final value for rate-making purposes of the property of the Christie & Eastern Railway Company, owned and used for common-carrier purposes, found to be \$141,520, as of June 30, 1919.

*Belt Line Ry. Co.*, 114 I. C. C. 129.

1391. Final value for rate-making purposes of the property of the Belt Line Railway Company, owned and used for common-carrier purposes, found to be \$205,000, as of June 30, 1917, and of property owned but not used, \$8,250.

*Flint River & Northeastern R. R. Co.*, 114 I. C. C. 142.

1392. Final value for rate-making purposes of the property of the Flint River & Northeastern Railroad Company, owned and used for common-carrier purposes, as to June 30, 1915, found to be \$235,792, and used but not owned, \$963.

*Carlton & Coast R. R. Co.*, 114 I. C. C. 160.

1393. Final value for rate-making purposes of the property of Carlton & Coast Railroad Company, owned and used for common-carrier purposes, found to be \$348,603, as of June 30, 1917, and of property used but not owned, \$25,000.

*Sainte Marie Union Depot Co.*, 114 I. C. C. 171.

1394. Final value for rate-making purposes of the property of Sainte Marie Union Depot Company, owned and used for common-carrier purposes, found to be \$175,360, as of June 30, 1916.

*Cheswick & Harmar R. R. Co.*, 114 I. C. C. 179.

1395. Final value for rate-making purposes of the property of the Cheswick and Harmar Railroad Company, wholly owned and used for common-carrier purposes found to be \$150,250, as of June 30, 1916.

*Wyoming Ry. Co.*, 114 I. C. C. 194.

1396. Final value for rate-making purposes of the property of the Wyoming Railway Company, owned and used for common-carrier purposes, as of June 30, 1918, found to be \$448,160.

*Fort Smith, Poteau & Western R. R. Co.*, 114 I. C. C. 211.

1397. Final value for rate-making purposes of the property of the Fort Smith, Poteau and Western Railroad Company, owned and used for common-carrier purposes, found to be \$41,600, as of June 30, 1918.

*Monroe R. R. Co.*, 114 I. C. C. 222.

1398. Final value for rate-making purposes of the property of the Monroe Railroad Company, owned and used for common-carrier purposes, found to be \$121,000, as of June 30, 1916, and of the property used but not owned, \$928.

*Cuyahoga Valley Ry. Co.*, 114 I. C. C. 239.

1399. Final value for rate-making purposes of the property of the Cuyahoga Valley Railway Company, owned and used for common-carrier purposes, found to be \$127,285, as of June 30, 1917, and of property used but not owned, \$105,808.

*Wellington & Powellsville R. R. Co.*, 114 I. C. C. 253.

1400. Final value for rate-making purposes of the property of the Wellington & Powellsville Railroad Company, owned and used for common-carrier purposes, found to be \$180,550, as of June 30, 1917.

*Roby & Northern R. R. Co.*, 114 I. C. C. 266.

1401. Final value for rate-making purposes of the property of the Roby and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$50,500, as of June 30, 1918.

*Cape Charles R. R. Co.*, 114 I. C. C. 274.

1402. Final value for rate-making purposes of the property of the Cape Charles Railroad Company, owned and used for common-carrier purposes, found to be \$143,412, as of June 30, 1915.

*Salem, Winona & Southern R. R. Co.*, 114 I. C. C. 283.

1403. Final value for rate-making purposes of the property of the Salem, Winona and Southern Railroad Company, owned and used for common-carrier purposes, found to be \$2,865 as of June 30, 1917, and of property used but not owned, \$98,500.

*Edgemoor & Manetta Ry.*, 114 I. C. C. 294.

1404. Final value for rate-making purposes of the property of the Edgemoor and Manetta Railway, owned and used for common-carrier purposes, found to be \$23,500 as of June 30, 1918, and of property used but not owned, \$848.

*Euclid R. R. Co.*, 114 I. C. C. 303.

1405. Final value for rate-making purposes of the property of the Euclid Railroad Company, owned and used for common-carrier purposes, found to be \$29,861 as of June 30, 1918.

*St. Louis & Hannibal R. R. Co.*, 114 I. C. C. 317.

1406. Final value for rate-making purposes of the property of the St. Louis & Hannibal Railroad Company, owned and used for common-carrier purposes, found to be \$1,906,770 as of June 30, 1918, and of property used but not owned, \$936.

*Manistee & North-Eastern R. R. Co.*, 114 I. C. C. 339.

1407. Final value for rate-making purposes of the property of the Manistee & North-Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$2,312,325 as of June 30, 1919, and of property used but not owned, \$312,988.

*Carolina & Tennessee Southern Ry. Co.*, 114 I. C. C. 370.

1408. Final value for rate-making purposes of the property of the Carolina & Tennessee Southern Railway Company, owned and used for common-carrier purposes, as of June 30, 1915, found to be \$377,077.

*Columbia Union Station Co.*, 114 I. C. C. 387.

1409. Final value for rate-making purposes of the property of the Columbia Union Station Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$162,331, and of property used but not owned, \$18,340.

*Pacific Coast Ry. Co.*, 114 I. C. C. 401.

1410. Final value for rate-making purposes of the property of the Pacific Coast Railway Company, owned and used for common-carrier purposes, found to be \$1,765,160 as of June 30, 1916.

*San Luis Southern Ry. Co.*, 114 I. C. C. 428.

1411. Final value for rate-making purposes of the property of the San Luis Southern Railway Company, owned and used for common-carrier purposes, found to be \$303,090 as of June 30, 1919, and of property used but not owned, \$4,000.

*East Jersey R. R. & Terminal Co.*, 114 I. C. C. 441.

1412. Final value for rate-making purposes of the property of the East Jersey Railroad and Terminal Company, owned and used for common-carrier purposes, found to be \$364,390 as of June 30, 1916, and of property used but not owned, \$184,000.

*Kankakee & Seneca R. R. Co.*, 114 I. C. C. 455.

1413. Final value for rate-making purposes of the property of Kankakee and Seneca Railroad Company, owned and used for common-carrier purposes, found to be \$800,000, as of June 30, 1915, and used but not owned, \$25,645.

*Sand Springs Ry. Co.*, 114 I. C. C. 467.

1414. Final value for rate-making purposes of the property of the Sand Springs Railway Company, owned and used for common-carrier purposes, found to be \$646,323, as of June 30, 1918.

*Meridian Terminal Co.*, 114 I. C. C. 479.

1415. Final value for rate-making purposes of the property of the Meridian Terminal Company, owned and used for common-carrier purposes, found to be \$390,074, as of June 30, 1918, and of property used but not owned, \$11,200.

*Springfield Terminal Ry. Co.*, 114 I. C. C. 493.

1416. Final value for rate-making purposes of the property of the Springfield Terminal Railway Company, owned and used for common-carrier purposes, found to be \$60,000, as of June 30, 1916, and of property used but not owned, \$164.

*Gulf & Northern Ry. Co.*, 114 I. C. C. 506.

1417. Final value for rate-making purposes of the property of the Gulf & Northern Railway Company, owned and used for common-carrier purposes, found to be \$300,000, as of June 30, 1919, and of the property used but not owned, \$156.

*South Shore Rail Road Co.*, 114 I. C. C. 519.

1418. Final value for rate-making purposes of the property of the South Shore Rail Road Company, owned and used for common-carrier purposes, found to be \$34,500, as of June 30, 1916, and of property used but not owned, \$227,592.

*Pittsburgh, Allegheny & McKees Rocks R. R. Co.*, 114 I. C. C. 533.

1419. Final value for rate-making purposes of the property of the Pittsburgh, Allegheny and McKees Rocks Railroad Company, owned and used for common-carrier purposes, found to be \$919,355, as of June 30, 1917, of property owned but not used, \$83,104, and of property used but not owned, \$10,400.

*Ligonier Valley Rail Road Co.*, 114 I. C. C. 551.

1420. Final value for rate-making purposes of the property of the Ligonier Valley Rail Road Company, owned and used for common-carrier purposes, found to be \$751,900, as of June 30, 1917.

*Combs, Cass & Eastern R. R. Co.*, 114 I. C. C. 568.

1421. Final value for rate-making purposes of the property of the Combs, Cass and Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$226,000, as of June 30, 1918, and of the property used but not owned, \$51,946.

*Central Vermont Transportation Co.*, 114 I. C. C. 579.

1422. Final value for rate-making purposes of the property of the Central Vermont Transportation Company, owned and used for common-carrier purposes, found to be \$310,000, as of June 30, 1919.



*Georgia Southwestern & Gulf R. R. Co.*, 114 I. C. C. 594.

1423. Final value for rate-making purposes of the property of the Georgia Southwestern and Gulf Railroad Company, owned and used for common-carrier purposes, found to be \$9,700, as of June 30, 1918, and of property used but not owned, \$450,000.

*Gould Southwestern Ry. Co.*, 114 I. C. C. 626.

1424. Final value for rate-making purposes of the property of the Gould Southwestern Railway Company, owned and used for common-carrier purposes, found to be \$98,264, as of June 30, 1918, and of property used but not owned, \$42,000.

*Houston Municipal Ry.*, 114 I. C. C. 639.

1425. Final value for rate-making purposes of the property of the Houston Municipal Railway, owned but not used for common-carrier purposes, found to be \$500,000, as of June 30, 1919.

*Toledo, Angola & Western Ry. Co.*, 114 I. C. C. 646.

1426. Final value for rate-making purposes of the property of the Toledo, Angola & Western Railway Company, owned and used for common-carrier purposes, found to be \$138,230, as of June 30, 1917, and of property used but not owned, \$13,250.

*Eastern Kentucky Ry. Co.*, 114 I. C. C. 663.

1427. Final value for rate-making purposes of the property of the Eastern Kentucky Railway Company, owned and used for common-carrier purposes, found to be \$1,005,370, as of June 30, 1916.

*Texas Mexican Ry. Co.*, 114 I. C. C. 677.

1428. Final value for rate-making purposes of the property of the Texas Mexican Railway Company, owned and used for common-carrier purposes, found to be \$2,088,500, and of property used but not owned, \$450,000, as of June 30, 1919.

*Carolina & Northeastern R. R. Co.*, 114 I. C. C. 699.

1429. Final value for rate-making purposes of the property of the Carolina & Northeastern Railroad Company, owned and used for common-carrier purposes, found to be \$138,279, as of June 30, 1919.

*Kelly's Creek & Northwestern R. R. Co.*, 114 I. C. C. 720.

1430. Final value for rate-making purposes of the property of the Kelly's Creek and Northwestern Railroad Company, owned and used for common-carrier purposes, found to be \$105,000 as of June 30, 1918, and of property used but not owned, \$9,210.

*Cumberland & Pennsylvania R. R. Co.*, 114 I. C. C. 730.

1431. Final value for rate-making purposes of the property of the Cumberland and Pennsylvania Railroad Company, owned and used for common-carrier purposes, found to be \$4,105,700, as of June 30, 1918, of property owned but not used, \$4,250, and of property used but not owned, \$4,500.

*Elberton & Eastern R. R. Co.*, 114 I. C. C. 759.

1432. Final value for rate-making purposes of the property of the Elberton & Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$327,493, as of June 30, 1918, and of property used but not owned, \$3,119.

*Frankfort & Cincinnati Ry. Co.*, 114 I. C. C. 776.

1433. Final value for rate-making purposes of the property of the Frankfort & Cincinnati Railway Company, owned and used for common-carrier purposes, found to be \$1,182,950, as of June 30, 1917, and of property owned but not used, \$22,942.

## INDEX TO POINTS DECIDED IN REPORTED RATE CASES

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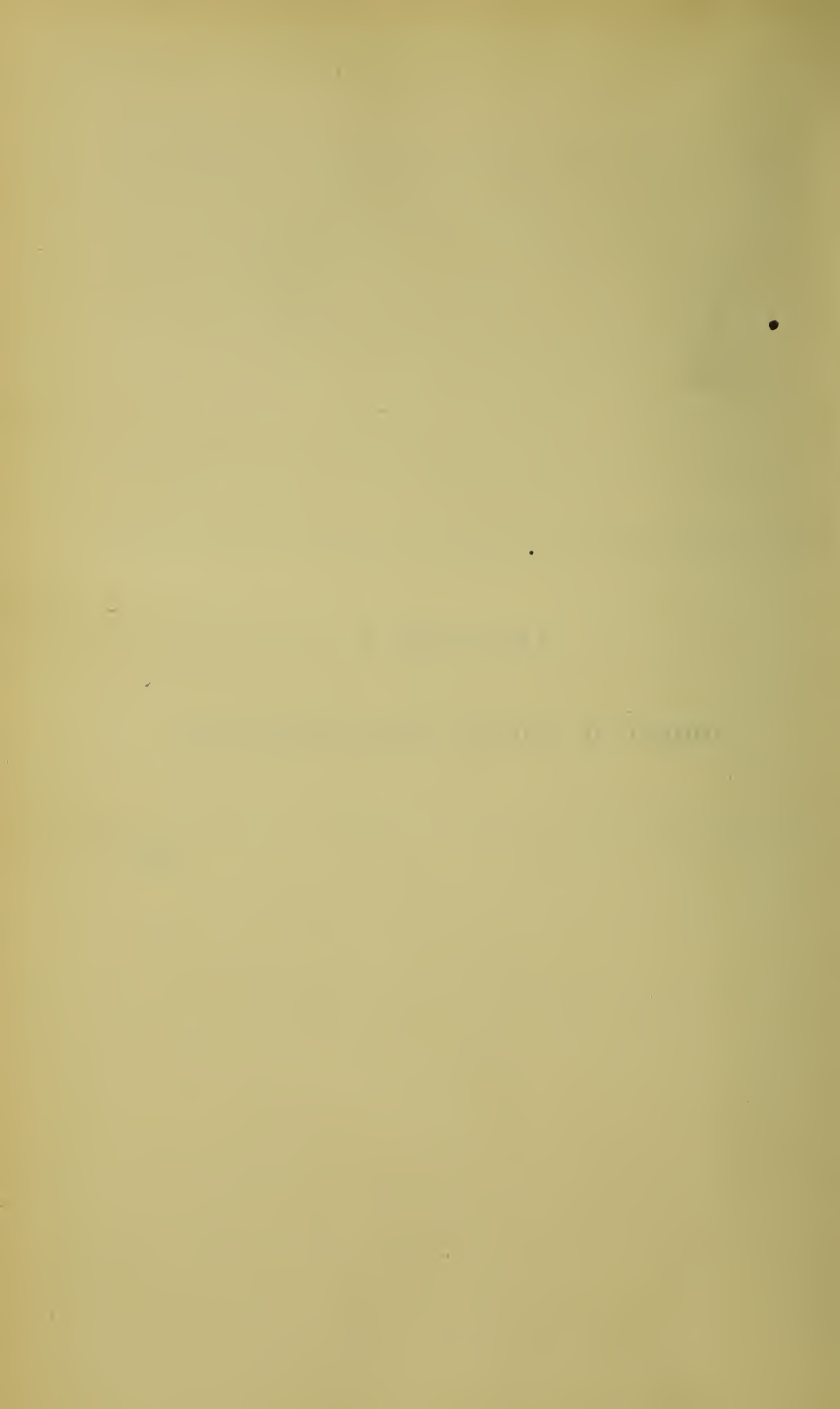
APPENDIX E

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DIGEST OF FEDERAL COURT DECISIONS

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## DIGEST OF FEDERAL COURT DECISIONS

A discussion of court decisions involving injunctions to restrain enforcement of orders of this commission and of decisions relative to criminal violations of the law can be found in the text of this annual report. The decisions abstracted herein involve questions of railway regulations which are closely related to matters arising before commissions.

### IN THE SUPREME COURT

#### FOURTH SECTION RELIEF

In *Patterson v. L. & N. R. R. Co.* (October 12, 1925) it was held that the grant by this commission of relief from the provision of the act prohibiting a greater through charge than the aggregate of the intermediate rates will not make lawful a rate which violates the provisions against unjust discrimination or rates unreasonably high. It was also held in this case that shippers can not recover for violation of that provision where an adequate and timely application by the carrier for relief remains undetermined.

#### INTERSTATE COMMERCE

In *Kansas City Structural Steel Co. v. Arkansas* (November 16, 1925) it was held that a foreign corporation contracting to construct a bridge within the State does an interstate business so as to become subject to the State laws where it makes the contract within the State and ships the materials for use by its subcontractor to itself within the State and, after the interstate traffic is ended, delivers them to the subcontractor to be used in the work.

In *New Jersey v. Sargent* (January 4, 1926) it was held that the power to regulate interstate and foreign commerce, which the Constitution vests in Congress, includes the power to control, for the purposes of such commerce, all navigable waters which are accessible to it and within the United States, whether within or without the limits of a State.

In *Moore v. New York Cotton Exch.* (April 12, 1926) it was held that the mere chance shipment from one state to another of cotton purchased and sold on an exchange in spot transactions does not convert the purely local agreements, or the transactions to which they relate, into subjects of interstate commerce.

In *Peoples Nat. Gas Co. v. Pa. P. U. C.* (April 12, 1926) it was held that the transportation of natural gas in pipe lines from producing wells in one State to consumers in another is interstate commerce, although it is purchased from the producer at the State line by a distributor through the agency of a motor there installed, where the transportation is continuous from the place of production to that of consumption, with prompt delivery to purchasers at destination.

#### BILLS OF LADING ACT

In *Davis v. Roper Lumber Co.* (November 16, 1925) it was held that the bills of lading act, providing that where a carrier delivers goods to one who is not lawfully entitled to the possession of them the carrier shall be liable to anyone having a right of property or possession in the goods, does not dispense with the necessity of notice of claim required by the interstate commerce act.

#### JUDGMENT FOR ACT OF SUBSIDIARY

In *Davis v. Alexander* (November 16, 1925) it was held that where one railroad company actually controls another and operates both as a single system, the dominant company will be liable for injuries due to the negligence of the subsidiary, and while the rates are in the control of the Government,

a court of a State in which the controlling company operates and which obtains jurisdiction of the Federal agent may render judgment for injuries caused by the operations of the subsidiary in another State.

#### ABOLITION OF COMMERCE COURT

In *Donegan v. Dyson* (November 16, 1925) it was held that the provision in the act abolishing the Commerce Court that nothing therein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges, etc., prevents the repeal from affecting the authority of judges duly designated to a district, and therefore acts performed by them in the office of district judges were not *coram non judice*.

#### DISCRETION OF COMMISSION

In *New York Ex. Rel. Woodhaven v. N. Y. P. S. C.* (November 23, 1925) it was held that the court will not substitute its own judgment as to what extensions of service by a public service corporation are reasonable for the determination of the public service commission.

In *Chicago, I. & L. Ry. Co. v. United States* (March 1, 1926) it was held that the courts can not substitute its judgment for that of the Interstate Commerce Commission with respect to the similarity or dissimilarity of circumstances and conditions upon which an order for interchange of traffic between railroads is founded.

#### CONFISCATORY RATES

In the *Woodhaven case, supra*, it was further held that an order requiring extension of public service is not invalid merely because the existing rate for such service is not compensatory, since the commission in passing the order may assume that the public service corporation will take appropriate steps to save its property from confiscation.

In *Henderson Water Co. v. N. C. Corp. Com.* (December 14, 1925) it was held that injunction will not lie on behalf of a water company which is bound by franchise to supply water at specified rates to enjoin the public service commission to continue in force rates permitted by it in excess of the franchise rates as being confiscatory, where the commission authorized an increase of rates over a trial period with authority to apply again for relief if such rates were found to be inadequate.

In *Live Oak Water Users' Asso. v. Calif. R. R. Com.* (January 4, 1926) it was held that for purposes of jurisdiction of the Supreme Court of the United States an order of a public service commission fixing rates for service by a public utility must be treated as though an act of the legislature.

In *N. J. P. U. C. v. N. Y. Teleph. Co.* (April 12, 1926) it was held that the just compensation safeguarded to the public utility by the Constitution is a reasonable return on the value of the property used at the time of its being used for the public service, and rates not sufficient to give the return are confiscatory, and that profits earned by a public utility in the past can not be used to sustain confiscatory rates for the future.

In *Smith v. Ill. Bell Teleph. Co.* (April 12, 1926) it was held that a public utility may apply to a Federal court for equitable relief where the public service commission by long-continued and unreasonable delay in passing upon an application for increased rates continues a confiscatory rate in force.

In *Patterson v. Mobile Gas Co.* (April 26, 1926) it was held that upon appeal from an order enjoining a public service commission from enforcing a confiscatory rate upon a gas company the court may eliminate such provisions of the decree as are improvident and go materially beyond what the circumstances require.

In *M., K. & T. R. R. Co. v. Oklahoma* (May 24, 1926) it was held that the enforcement of an order of the corporation commission requiring a railroad company to bear the cost of eliminating a grade crossing of a highway over its tracks, after it had contracted with the municipality that the latter should bear the cost of constructing the highway over the railroad tracks in consideration of the donation by the railroad company of the right of way, impairs the obligation of the contract and deprives the railroad company of its property without due process of law.

## POWER OF COMMISSION TO CORRECT ORDER

In *L. & N. R. R. Co. v. Sloss-Sheffield S. & I. Co.* (November 23, 1925) it was held that the Interstate Commerce Commission may, upon its own motion or upon request, correct any order while under its control without notice to a party who can not possibly suffer by the modification made.

In *M. & St. L. R. R. Co. v. P. & P. U. Ry. Co.* (April 12, 1926) it was held that an order of this commission which has been rescinded by dismissal of the petition on which it is founded is not restored by a telegram from the chairman of the commission that the order is still in force, followed by an order providing for a general investigation of rates by the founding road and that the original petition which had been dismissed be opened and consolidated with and made a part of this investigation.

## REHEARINGS BEFORE COMMISSION

In the *Sloss-Sheffield case*, *supra*, it was further held that the time for filing a petition for rehearing of orders of this commission can not be limited to one year because, under section 16, actions on orders granting reparation can be brought only if commenced within one year from the entry of the order, and that a delay by this commission of more than three years before acting upon an application for rehearing does not deprive it of jurisdiction to grant the rehearing.

## OVERCHARGES

In the last-cited case it was also held that a prayer for general relief in an action to recover against a carrier for overcharges for railroad transportation is sufficient to justify an award of reparation for shipments over lines of carriers connecting with those of defendant, although such carriers are not made parties to the proceedings, and that consignors of goods sold f. o. b. at points of destination may maintain an action against the carriers to recover overcharges, although the freight is actually paid by the consignee, under the given circumstances.

## INTEREST ON REPARATION CLAIMS

In the same case it was further held that interest may be allowed upon an award of reparation for overcharge from the time the overcharge was made, although the duty of making reparation did not arise until the charge was adjudged illegal by this commission, and the fact that a judgment includes interest on the original claim does not render the allowance of interest upon it from date of entry invalid as providing for compound interest.

## LIMITATION OF ACTIONS

In *United States v. St. L., S. F. & T. Ry. Co.* (January 18, 1926) it was held that the provision of chapter 91 of the transportation act, 1920, that all actions at law by carriers subject to the act for the recovery of charges shall be begun within three years from the time the action accrues does not apply to causes of action existing when the statute was enacted.

In *Mellon v. Weiss* (April 12, 1926) it was held that where, at the termination of Federal control, an action was pending against a carrier for nondelivery of freight shipped under a bill of lading requiring suit for loss to be instituted within two years and a day after the lapse of a reasonable time for delivery, the attempted substitution, after the lapse of the stipulated period, of the Government agent is of no avail, since it is a new and independent proceeding to enforce the liability of the Government.

## RESIDENCE OF A CORPORATION

In *Seaboard Rice Mill Co. v. C., R. I. & P. Ry. Co.* (March 1, 1926) it was held that a corporation is, within the meaning of the jurisdictional statutes, a resident of the State in which it is incorporated and not of any other, although it may be engaged in business within another State.



## " GROWING OUT OF FEDERAL CONTROL "

In *United States v. Reading Co.* (March 1, 1926) it was held that in construing the phrase "growing out of Federal control" in the settlement between the Director General and the railroads upon the return of the roads to the owners the surrounding circumstances must be considered.

## CAR SPOTTING

In *C. & O. Ry. Co. v. Westinghouse Co.* (March 1, 1926) it was held that the furnishing of a special engine and crew to perform spotting service for a single patron of the carrier is merely for service involved in the line-haul charge and can not be made the subject of special compensation, and to assure performance of spotting service for a single patron by renting him an engine and crew for that purpose is an undue preference.

## EXCESS OF TARIFF RATE

In the last-cited case it was also held that a carrier can not under the provisions of the interstate commerce act recover compensation in excess of the tariff rate for performing special spotting service which is covered by the tariff.

## COMPENSATION FOR WAR USE

In *M. & R. V. Ry. Co. v. United States* (March 1, 1926) it was held that under the provisions of law permitting a railroad company whose road has been taken during the war to receive just compensation on a certain basis a corporation whose road was merely taken in a technical sense by the President, but which actually retained the control and revenue of the road, can not recover the compensation provided for without proving the value of the use taken from it and the damages suffered by it.

## PRIOR ACTION BY COMMISSION

In *T. & P. Ry. Co. v. G., C. & S. F. Ry. Co.* (March 1, 1926) it was held that where a function committed to this commission involves the exercise of administrative judgment no justiciable question arises ordinarily until this commission has acted.

In *N. Y. C. R. R. Co. v. N. Y. & P. Co.* (April 26, 1926) it was held that an order of a State Commission granting reparation for charges collected during the six months following the termination of Federal control violates the transportation act prohibiting the reduction of rates without approval of this commission.

In *Turner, D. & L. Lumber Co. v. C., M. & St. P. Ry. Co.* (May 24, 1926) it was held that preliminary resort to this commission before suing to recover a penalty alleged to have been illegally exacted for detention of a railroad car is unnecessary, because no administrative question is presented.

## WHAT IS AN EXTENSION OF RAILWAY?

In the *T. & P. Ry. Co. case, supra*, it was further held that a section of railroad extending from a station on the main line  $3\frac{1}{2}$  miles to tap the industrial section of a city, the needs of which are adequately served by another road, by the necessary laying of  $7\frac{1}{2}$  miles of track and two spurs, each approximately a mile long, is an extension within the meaning of the transportation act, 1920, requiring a certificate from this commission for its construction.

## CUMMINS AMENDMENT

In *C. & O. Ry. Co. v. Thompson Mfg. Co.* (March 8, 1926) it was held that the words "carelessness or negligence of the carrier" in the Cummins amendment do not refer to the presumption of negligence which arises when goods received in good condition are in bad condition when delivered, but apply only when the injury is due to the carrier's actual negligent conduct in fact.

## LIABILITY FOR LOSS OF BAGGAGE

In *M. P. R. R. Co. v. Boone* (March 22, 1926) it was held that the reenactment of a State statute charging an intrastate carrier with the full value of misdelivered baggage, which was suspended by the Federal control act, was not necessary to put it again in force after the termination of Federal control, in view of the clause of the transportation act, 1920, which provided that all classifications, regulations, or practices in any wise changing, affecting, or determining any part of the value of the service rendered which are in effect, shall continue in force until thereafter changed by statute or Federal authority, since the mere cessation of the suspension effected through Federal control of statutes theretofore in force would effect a change thereafter within the meaning of the statute.

## DEPRECIATION

In the *New Jersey Telephone case, supra*, it was further held that assets of a public utility represented by a credit balance in a reserve for depreciation can not be used to make up a deficiency in current rates for service, which are not sufficient to yield a just return after paying taxes and operating expenses, including a proper allowance for current depreciation.

## ELKINS ACT

In *United States v. Koenig Coal Co.* (April 12, 1926) it was held that the words "advantage," "concession," and "discrimination," in the Elkins act must be construed to mean unlawful concession, unlawful advantage, and unlawful discrimination.

In *United States v. Mich. Portland C. Co.* (April 12, 1926) it was held that the fact that the service order of this commission prescribing the order in which demands for coal shipments must be served was not embraced in a published tariff schedule does not prevent punishment of one securing an advantage or discrimination in shipment in violation of the Elkins Act.

## SUIT TO SET ASIDE COMMISSION'S ORDER

In *Venner v. M. C. R. R. Co.* (April 26, 1926) it was held that a suit to set aside and amend an order of this commission must be brought against the United States as the representative of the public.

## ABANDONMENT OF INTRASTATE BRANCH

In *Colorado v. United States* (May 3, 1926) it was held that this commission may authorize a carrier chartered by a State to cease the operation of a branch of its road operating wholly within the State if the loss resulting from such operation would burden the interstate operations of a road.

## TAXES DURING FEDERAL CONTROL

In *United States v. P. & W. V. Ry. Co.* (May 24, 1926) it was held that under the provisions of the standard form of contract between the Government and the railroad companies during the period of Federal control the Government is not liable for the expenses of suits respecting taxes which were not paid by the Government.

## INJURY DURING FEDERAL CONTROL

In *Virginian Ry Co. v. Mullens* (May 24, 1926) it was held that one who purchased as a going concern a railroad constructed in the bed of a stream so as to constitute a nuisance to the riparian owner is not liable for injuries caused by the railroad embankment to the neighboring property while the railroad was under Federal control.

## CONNECTING TWO INTERSTATE RAILROADS

In *A. & V. Ry. Co. v. J. & E. Ry. Co.* (May 24, 1926) it was held that under the provisions of the transportation act, 1920, this commission has exclusive jurisdiction of proceedings to connect the main lines of two railroads doing an

interstate business where the establishment of a junction at the point desired would imperil interstate commerce.

#### RECAPTURE OF CONSIGNMENT

In *C. & N. W. Ry. Co. v. Durham Co.* (May 24, 1926) it was held that section 5 of the bills of lading act gives the carrier no right to recapture control of the unloaded part of the shipment in case garnishment proceedings are commenced within 48 hours after the consignee has surrendered the bill of lading and obtained delivery of the goods.

#### DEMURRAGE CHARGES

In the *Turner, D. & L. Lumber case, supra*, it was further held that this commission has power to impose additional demurrage charges in the form of a penalty for detention of cars loaded with lumber for reconsignment, if the charges are reasonable; that the finding by this commission that such demurrage charges are reasonable is binding on the Supreme Court if there is evidence to support it; and that a duly filed tariff providing for a demurrage charge for the detention of cars is notice to the shipper, as the enforcement of the charge against him without further notice does not deprive him of his property without due process of law.

#### FINDINGS OF THIS COMMISSION

In *Western Paper Makers' Chem. Co. v. United States* (May 24, 1926) it was held that the determination whether a rate is unreasonable or discriminatory is a question on which the finding of this commission is conclusive, if supported by substantial evidence, unless there was some illegality in the proceeding or some error in the application of the rules of law.

#### POWER OF THIS COMMISSION TO CLOSE ROUTE

In the last-cited case it was also held that to avoid violating the long-and-short-haul provision of the act this commission may, in establishing a rate, close an existing route through the point giving the higher rate, if it was one which was rarely used.

#### PRIORITY OF DIRECTOR GENERAL'S CLAIMS

In *Mellon v. Mich. T. Co.* (May 24, 1926) it was held that the Director General of Railroads is not entitled to the priority belonging to the United States Government in case of claims for transportation charges against an insolvent.

#### CLAYTON ACT

In *Gen. Inv. Co. v. N. Y. C. R. R. Co.* (May 24, 1926) it was held that the district courts of the United States have jurisdiction of a suit to enjoin violation of the Clayton Act by the control by a railroad company of competing lines through the medium of stock ownership.

#### TRUCK TRANSPORTATION

In *Frost v. Calif. R. R. Com.* (June 7, 1926) it was held that a trucking company which is a private carrier is unconstitutionally deprived of its property without due process of law by the State requiring it to become a public carrier in order to secure a permit to use the public highways for transportation purposes.

#### RAILWAY MAIL PAY

In *M. P. R. R. Co. v. United States* (June 7, 1926) it was held that under an act of Congress directing this commission to allow land-grant roads 80 per cent of the compensation paid other roads for transporting the mails and all services by the railroads in connection therewith the 80 per cent rate may be applied to the distributing space and facilities provided by the railroads in the cars for the handling of the mail.



## IN THE CIRCUIT COURTS OF APPEALS

## JOINT USER OF UNION STATION

In *I. C. R. R. Co. v. I. U. Ry. Co.*, 6 F(2d). 830 (June 3, 1925), the court for the seventh circuit held that a railroad using the terminal facilities of another railroad is not in a position to complain of the manner of apportioning charges for freight service.

## LIMITATION OF ACTION

In *C. & N. W. Ry. Co. v. Bewsher*, 6 F(2d). 947 (July 28, 1925), the court for the eighth circuit held that under the interstate commerce act carriers are not authorized to place any flat restriction on the time within which suit may be brought on contracts of carriage, based on the time of delivery of the shipment.

## BILLS OF LADING

In the last-cited case it was further held that the bills of lading act manifests congressional intention to make ordinary bills of lading fully negotiable.

In *In Re Taub*, 7 F(2d). 447 (April 6, 1925), the court for the second circuit held that, under the bills of lading act, a carrier, delivering to the consignee in a straight bill of lading, after the receipt of instructions from one having right of property, or possession, not to deliver to consignee, is liable to the person so instructing.

In *Loma Fruit Co. v. Int. Nav. Co.*, 11 F(2d). 124 (December 21, 1925), the court for the second circuit held that an ocean carrier, by receiving and carrying shipments of apples, ratified and was bound, as between itself and the shipper, by an export bill of lading made by a railroad requiring refrigeration to destination.

## REPARATION

In *Wilson & Co. v. Davis*, 8 F(2d). 484 (October 10, 1925), the court for the seventh circuit held that a shipper charged excessive rates during Federal control is entitled to recover interest on the reparation awarded by the Interstate Commerce Commission, but not costs and attorney's fees.

In *Chandler v. P. R. R. Co.*, 11 F(2d). 39 (January 20, 1926), the court for the fourth circuit held that shipments from points within a State to a seaport for export are subject to interstate rates where the schedule filed with this commission applying from points of shipment to seaport included all shipments with the exception of those made in intrastate commerce, and claim for overcharges should be based on the interstate rates.

In *Harris v. Amer. Ry. Express Co.*, 12 F(2d). 487 (April 5, 1926), the District of Columbia Court of Appeals held that an express company, doing business in the District of Columbia, is suable there for damages to a shipment which originated and was completed in distant States which did not pass through the District, nor is the inconvenience so occasioned an unlawful burden on interstate commerce.

## CONFISCATORY RATES

In *Council Bluffs v. C. B. S. Ry. Co.*, 9 F(2d). 246 (November 19, 1925), the court for the eighth circuit held that a street railway company can not be estopped from securing relief in equity from confiscatory rates by reason of its having acquiesced for a long period in wrongful taking of its property without just compensation.

## INTERSTATE COMMERCE

In *O. S. L. R. R. Co. v. Gubler*, 9 F(2d). 494 (November 11, 1925), the court for the eighth circuit held that the repairs or replacement affecting instrumentalities of interstate commerce constitutes interstate commerce, while purely new construction does not.

In *Hagan v. United States*, 9 F(2d). 562 (November 28, 1925), the court for the eighth circuit held that the Dyer Act, prohibiting the sale and transportation of stolen automobiles in interstate commerce, is not unconstitutional, if interpreted as covering an automobile moving under its own power.

In *Williams v. N. Y., P. & N. R. R. Co.*, 11 F(2d). 363 (January 12, 1926), the court for the fourth circuit held that a shipper may not, in suing a carrier, ignore the Hepburn Act, where its terms apply, and bring his suit at common law.

In *Galloway v. Bell*, 11 F(2d). 558 (March 1, 1926), the District of Columbia Court of Appeals held that the transmission of gas by pipe line from one State to another, or from the District of Columbia to a State, being interstate commerce, it is beyond the power of a State to impose any burden thereon.

In *Gulf Refining Co. v. Sandlin*, 11 F(2d). 967 (April 21, 1926), the court for the fifth circuit held that the intentional interruption of the movement of a commodity for purposes beneficial to the owner makes such commodity subject to local taxation.

In *Walker v. Traylor Eng. & Mfg. Co.*, 12 F(2d). 382 (April 12, 1926), the court for the eighth circuit held that the Oklahoma statute relating to foreign corporations' right to do business in a State does not apply to corporations engaged in interstate commerce or to transactions therein.

In *A. C. L. R. R. Co. v. Standard Oil Co.*, 12 F(2d). 541 (April 14, 1926), the court for the fourth circuit held that the interstate character of shipments of oil is terminated by its storage for reshipment to substations and customers, so that subsequent shipments within the State were subject to intrastate rates.

#### TARIFFS ON FOREIGN TRAFFIC

In the above-cited *Chandler case* it was also held that under the transportation act, 1920, a carrier must file with this commission its schedule of rates covering transportation in commerce with foreign countries as well as between the several States.

#### SURCHARGES ON SLEEPING CARS

In *Waters v. Pullman Co.*, 10 F(2d). 622 (November 25, 1925), the District of Columbia Court of Appeals held that where this commission authorized an extra charge on sleeping and parlor car passengers for the benefit of the railroads and thereafter authorized the Pullman Company to publish a surcharge tariff, the commission did not exceed its authority in directing the schedule to be filed by the Pullman Company.

#### DEMURRAGE CHARGES

In *C., C. & St. L. Ry. Co. v. N. Y., C. & St. L. Ry. Co.*, 11 F(2d). 850 (December 19, 1925), the court for the seventh circuit held that a carrier, having entire supervision and control of unloading of cars at a tie-creosoting plant, is not entitled to charge demurrage on cars loaded with ties from another company and held beyond tariff free time for unloading; and that a contract between railroads, if construed as not entitling one of them to charge demurrage under the above circumstances, does not result in discrimination, in violation of the interstate commerce act, inasmuch as the transaction was independent of a railroad's duty to the public as a common carrier.

#### REORGANIZATION OF RAILROADS

In *Palmer v. Bankers' Trust Co.*, 12 F(2d). 747 (May 5, 1926), the court for the eighth circuit held that an equity court will not aid a minority bondholder to hold up a fair reorganization plan in order that he may obtain more favorable terms for his bonds than are given to others.

#### VALUATION OF RAILROADS FOR TAXATION PURPOSES

In *C. & N. W. Ry. Co. v. Evcland*, 13 F(2d). 442 (May 28, 1926), the court for the eighth circuit held that the net earnings and current market value of railroad stocks and bonds for a reasonable period before assessment are the most reliable evidence of value for taxation purposes.

## IN THE DISTRICT COURTS

## EFFECTIVE DATE OF ORDER

In *Standard Oil Co. v. Davis*, 6 F(2d). 236 (June 23, 1925), the court for the northern district of California held that under the interstate commerce act, providing that suit to enforce an award of damages by this commission shall be filed "within one year from the date of the order," the date of the order is its "effective date," which is the time fixed by the the commission for payment of the award.

## TARIFFS

In *Empire Refining Co. v. Davis*, 6 F(2d). 305 (March —, 1925), the court for the eastern district of Oklahoma held that the decisions of this commission respecting tariffs are helpful guidance to courts; that the publication by an initial carrier of the method of determining a through rate is binding on such carrier; and that costs and attorney's fees on an award of reparation by the commission should not be taxed until judgment becomes final.

In *Lothrop v. S. P. & S. Ry. Co.*, 10 F(2d). 225 (January 4, 1926), the court for the district of Oregon held that tariffs fixing rates must be strongly construed in accordance with the printed language; that in determining the rate chargeable all parts of a tariff filed should be considered; and that a shipper is entitled to the construction that is most favorable to him.

In *St. L.-S. F. Ry. Co. v. Republic Box Co.*, 12 F(2d). 441 (April 22, 1926), the court for the southern district of Texas held that though instances of individual hardship will not change the policy that the legal tariff applicable is the only legal rate, and neither estoppel or agreement can change rule, courts will not literally enforce rates where individual circumstances make it certain that invocation of the principle is an absurdity.

In *N. Y. & P. Co. v. Davis*, 8 F(2d). 662 (May 12, 1925), the court for the western district of New York held that a shipper by rail must pay specified tariff charges, and the carrier is forbidden to exact more or less than the published rate or charge.

## AMERICAN MONEY

In the last-cited case it was further held that freight charges on through shipments from Canada to the United States are payable at schedule rates in American money.

## FOREIGN TRAFFIC

In the same case it was also held that the jurisdiction of this commission over transportation to and from a foreign country is limited to that part of the shipment which takes place in the United States.

## UNDERCHARGES

In the *Republic Box Co. case, supra*, it was further held that a carrier may not recover undercharges where a shipper had designated the route and rate and shipment had been made over a different route, charging higher rate than that designated.

## REPARATION

In *P. & W. V. Ry. Co. v. United States*, 6 F(2d). 646 (January 4, 1924), the court for the western district of Pennsylvania held that general equity jurisdiction could not be invoked for avoidance of this commission's order for reparation.

In *Brenner Lumber Co. v. Davis*, 9 F(2d), 960 (October 10, 1925), the court for the western district of Louisiana held that a reparation order of this commission was sufficient under the transportation act, 1920, to support an action against the Director General of Railroads, though it did not name him as agent of any particular carrier.

In the *Lothrop case, supra*, it was further held that counsel fees may be recovered for taking of an unlawful rate, and the court will allow such fees as prayed where the reasonableness of the claim was not questioned.



## PRESCRIBED RATE DEFINED

In the *Lothrop case* it was also held that a prescribed rate may consist of a variety of elements, such as the character of the commodity, distance, privileges and facilities accorded, and the rules and regulations accompanying the tariff, etc., and all these elements must be taken into account.

## STREET RAILWAY FARES

In *E. St. L. & S. Ry. Co. v. Brundage*, 10 F(2d). 830 (February 6, 1926), the court for the eastern district of Illinois held that the Illinois commission has no power to fix rates for carriage on railroads in contravention of the 2 cent fare law, but may fix rates for street railways or other public utilities.

## REBATES

In *United States v. Estes*, 6 F(2d). 902 (April 4, 1924), the court for the northern district of Illinois held that the indictment of an agent of the Pullman Co. for a violation of the interstate commerce act need not allege employment by railroad carriers transporting sleeping cars.

In *United States v. Kellogg & Sons*, 12 F(2d). 612 (May 7, 1926), the court for the western district of New York held that grain elevators, receiving wheat from lake boats and transferring it to railroad cars as part of through shipment, violate the Elkins Act if they rebate to the consignee a part of the elevating charge collected from the carriers.

## INTERSTATE COMMERCE

In *Standard Oil Co. v. A. C. L. R. R. Co.*, 6 F(2d). 911 (July 6, 1925), the court for the eastern district of North Carolina held that interstate shipments of oil are terminated by storage, so that subsequent shipments are subject to State rates.

In *Fox Film Corp. v. Trumbull*, 7 F(2d). 715 (August 17, 1925), the court for the district of Connecticut held that the shipment of moving-picture films into a State to lessees is interstate commerce, but that the interstate commerce ends when the films have arrived at their destination.

In *Chandler v. P. R. R. Co.*, 9 F(2d). 703 (June 16, 1925), the court for the eastern district of Virginia held that shipments to the seaboard from points within the State of potatoes intended for export, some of which were already sold for foreign delivery, are not intrastate commerce.

In *Palmetto Fire Ins. Co. v. Beha*, 13 F(2d). 500 (July 14, 1926), the court for the southern district of New York held that the business of interstate insurance is not interstate commerce, and as such is not beyond State regulations.

## OVERCHARGES

In *Wyo. Sugar Co. v. Davis*, 7 F(2d). 622 (August 15, 1925), the court for the district of Wyoming held that it is no defense to an action of a shipper to recover an award of damages for overcharges that the shipper included the excessive rate paid in the prices charged to its customers, and that Federal control does not deprive a shipper of the right to interest, costs, and attorney's fees in a suit for overcharges.

## CERTIFICATE OF CONVENIENCE AND NECESSITY

In *T. & N. O. R. R. Co. v. N. S. B. Ry. Co.*, 8 F(2d). 153 (September 26, 1925), the court for the southern district of Texas held that a certificate of convenience and necessity from this commission is not necessary for the construction of a new road by a new corporation which is not engaged in interstate transportation.

## MOTOR TRANSPORTATION

In *Red Ball Transit Co. v. Marshall*, 8 F(2d). 635 (October 19, 1925), the court for the southern district of Ohio held that the Ohio motor transportation act is invalid in so far as it denied a certificate of public convenience and

necessity to a common carrier by motor bus solely engaged in interstate commerce, but that a State may exact compensation from a corporation engaged in interstate commerce if the burden imposed be reasonable.

In *Holyoke St. Ry. Co. v. I. B. Corp.*, 11 F(2d). 161 (February 10, 1926), the court for the district of Massachusetts held that a bus company doing intrastate business is not protected from complying with a State bus statute, because it has interstate lines.

#### PRIOR ACTION BY INTERSTATE COMMERCE COMMISSION

In *Powers v. Cady*, 9 F(2d). 258 (November 13, 1925), the court for the western district of Louisiana held that an action for refusal to furnish cars is not within the exclusive jurisdiction of the Interstate Commerce Commission.

In *Farmechon Co. v. N. P. Ry. Co.*, 11 F(2d). 312 (February 25, 1926), the court for the district of Minnesota held that whenever a rate, rule, or practice is attacked as unreasonable or discriminatory, preliminary resort must be had to this commission.

#### LIMITATION OF ACTIONS

In the above-cited *Powers case* it was further held that an action for refusal to furnish cars is within the two-year statute of limitations.

#### REFUSAL TO FURNISH CARS

In the same case it was also held that a complaint in an action for refusal to furnish cars, without semblance of justification, is sufficient, without alleging that the discrimination was undue or unreasonable.

#### CONFISCATORY RATES

In *N. Y. Teleph. Co. v. Prendergast*, 11 F(2d). 162 (March 10, 1926), the court for the southern district of New York held that the rate-making power is legislative and not judicial, and that the concern of courts in cases to determine reasonableness of rates fixed by a commission is simply to prevent confiscation.

In *Monroe G. L. & F. Co. v. Mich. P. U. C.*, 11 F(2d). 319 (February 27, 1926), the court for the eastern district of Michigan held that a gas company may be required, as a condition to a temporary injunction against the enforcement of a confiscatory rate, to agree to rebate the excessive portion of the rate collected.

In *Pac. T. & T. Co. v. Whitcomb*, 12 F(2d). 279 (April 22, 1926), the court for the western district of Washington held that the finding that a return of less than 7½ per cent on a fair value of the property of a telephone company would be confiscatory is within proper limits.

In *United Fuel Gas Co. v. Ky. R. R. Com.*, 13 F(2d). 510 (April 22, 1925), the court for the eastern district of Kentucky held that a rate for a natural gas company allowing a return of 16 per cent on rate base, to cover interest on investment, profits, depreciation, and depletion, is not confiscatory.

#### VALUATION OF PUBLIC UTILITIES

In the *N. Y. Teleph. Co. case, supra*, it was also held that the reproduction cost less depreciation may be the dominant element in fixing the rate base for a gas company.

In *Pac. T. & T. Co. v. Whitcomb*, 12 F(2d). 279 (April 22, 1926), the court for the western district of Washington held that the method of valuation of public utilities for rate-making purposes which considers only the original cost of the properties on prudent investment theory is erroneous; that the "depreciation" taken into account in ascertaining the rate base for a public utility is diminution in value which takes place in the physical thing, and not the future depreciation which inevitably comes about by wear and tear; and that the public utility's outlays for reasonable future needs as to equipment is a matter of business management, which may not be arbitrarily interfered with under the guise of rate making.

In *United Fuel Gas Co. v. Ky. R. R. Com.*, 13 F(2d). 510 (April 22, 1925), the court for the eastern district of Kentucky held that a natural-gas company

has the right to hold reserved and undeveloped acreage, which must be considered in determining the rate basis for valuation purposes, and that the depreciation charge must be figured on appraised value rather than investment cost.

#### RELEASED RATES

In *Lawrence Leather Co. v. Compagnie G. T.*, 12 F(2d). 83 (February 13, 1926), the court for the southern district of New York held that the limitation of liability by carriers to the amount of stipulated valuation will only be sustained in cases in which a choice of rates has been given to the shipper and the limitation was made the basis of the reduced rate.

#### USE OF TRACKS

In *T. & P. Ry. Co. v. La. P. S. C.*, 12 F(2d). 798 (February 8, 1926), the court for the eastern district of Louisiana held that a public service commission is not empowered to compel a railroad to permit the use of its track for local business by another railroad having a contract for through business only.

#### BILLS OF LADING

In *The Asvarca*, 13 F(2d). 222 (April 7, 1924), the court for the southern district of New York held that a provision in a bill of lading that liability for loss or damage should be limited to the value of goods at place of shipment is valid.



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## APPENDIX F

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STATEMENTS OF CERTIFICATES AND ORDERS ISSUED  
UNDER VARIOUS SECTIONS OF THE INTERSTATE  
COMMERCE ACT AND THE TRANSPORTATION ACT,  
1920, AND STATEMENT OF PAYMENTS MADE BY CAR-  
RIERS UNDER SECTION 15A OF THE INTERSTATE  
COMMERCE ACT



**CERTIFICATES OF CONVENIENCE AND NECESSITY FOR CON-  
STRUCTION ISSUED UNDER PARAGRAPHS (18) TO (22) OF  
SECTION 1 OF THE INTERSTATE COMMERCE ACT**

Name of applicant	Location of line	Mileage
Alameda Belt Line.....	Alameda County, Calif.....	2.76
Atlantic Coast Line R. R. Co.....	Taylor, Madison, and Jefferson Counties, Fla.....	41.00
Do.....	Hillsborough and Pasco Counties, Fla.....	22.50
Central Pacific Ry. Co.....	Klamath County, Oreg., and Modoc County, Calif.....	36.00
Do.....	Modoc County, Calif.....	62.10
Do.....	Yuba County, Calif.....	4.68
Chesapeake & Hocking Ry. Co.....	Pike, Ross, Pickaway, and Franklin Coun- ties, Ohio.....	63.00
Chicago & North Western Ry. Co.....	Milwaukee County, Wis.....	3.40
Do.....	Madison and Macoupin Counties, Ill.....	2.51
Chicago, Milwaukee & St. Paul Ry. Co., H. E. Byram, Mark W. Potter, and Edward J. Brundage, receivers.....	Freeborn County, Minn.....	6.75
Chicago, Rock Island & Pacific Ry. Co.....	Freeborn County, Minn.....	9.30
Do.....	Blaine County, Okla.....	3.73
Do.....	Potter, Carson, Hutchinson, and Hansford Counties, Tex.; Texas County, Okla.; and Seward County, Kans.....	145.00
Cisco & Northeastern Ry. Co.....	Stephens and Throckmorton Counties, Tex.....	35.00
Columbia & Cowlitz Ry. Co.....	Cowlitz County, Wash.....	6.00
Corona & Santa Fe Ry. Co.....	Riverside County, Calif.....	15.00
Denver & Rio Grande Western R. R. Co.....	Carbon County, Utah.....	6.28
Dodge City & Cimarron Valley Ry. Co.....	Stanton County, Kans., and Baca County, Colo.....	56.00
Litchfield & Madison Ry. Co.....	Madison County, Ill.....	1.05
Lowell & Southern R. R. Co.....	LaSalle County, Ill.....	4.00
Meridian & Bigbee River Ry. Co.....	Lauderdale County, Miss., and Choctaw and Marengo Counties, Ala.....	50.00
Minneapolis, Northfield & Southern Ry.....	Hennepin County, Minn.....	6.00
Minnesota Western R. R. Co.....	Kandiyohi and Chippewa Counties, Minn.....	43.00
Missouri Pacific R. R. Co.....	Howard County, Ark.....	7.50
Do.....	Garland County, Ark.....	11.82
Morris & Essex R. R. Co. and Delaware, Lackawanna & Western R. R. Co.....	Hudson County, N. J.....	.68
Naples, Seaboard & Gulf Ry. Co.....	Lee and Collier Counties, Fla.....	19.00
New Orleans Great Northern R. R. Co.....	Hinds County, Miss.....	6.65
Northern Pacific Ry. Co.....	Clearwater County, Idaho.....	40.96
Oklahoma & Rich Mountain R. R. Co.....	Le Flore County, Okla.....	35.00
Oregon, California & Eastern Ry. Co.....	Klamath and Lake Counties, Oreg.....	143.00
Oregon Trunk Ry.....	Deschutes and Klamath Counties, Oreg.....	100.00
Panhandle & Santa Fe Ry. Co.....	Carson and Hutchinson Counties, Tex.....	30.00
Rio Grande, Micolithic & Northern Ry.....	Hudspeth County, Tex.....	6.40
Sacramento Northern Ry.....	Yolo and Solano Counties, Calif.....	13.00
St. Louis Connecting R. R. Co.....	Madison County, Ill.....	9.20
St. Louis-San Francisco Ry. Co.....	Monroe and Lowndes Counties, Miss., and Pickens, Greene, Marengo, and Wilcox Counties, Ala.....	152.00
St. Louis, Troy & Eastern R. R. Co.....	Madison County, Ill.....	1.53
San Antonio & Aransas Pass Ry. Co.....	Brooks and Hidalgo Counties, Tex.....	84.00
Do.....	Hidalgo and Cameron Counties, Tex.....	30.00
Seaboard-All Florida Ry.....	Palm Beach, Broward, and Dade Counties, Fla.....	100.00
Do.....	DeSoto, Charlotte, Lee, and Hendry Coun- ties, Fla.....	94.00
State of Alabama, through State Docks Com- mission of Alabama.....	Mobile County, Ala.....	5.69
Tremont & Gulf Ry. Co.....	Grant and LaSalle Parishes, La.....	4.00
Twin Branch R. R. Co.....	St. Joseph County, Ind.....	2.58
Union Pacific R. R. Co.....	Goshen County, Wyo.....	4.00
Do.....	Scotts Bluff County, Nebr.....	18.00
Do.....	Goshen County, Wyo.....	10.00
Do.....	Larimer County, Colo.....	2.50
Venice, Englewood & Southern Ry.....	Sarasota County, Fla.....	13.00
Warrior River Terminal Co.....	Jefferson County, Ala.....	.13
West Pittston-Exeter R. R. Co.....	Luzerne County, Pa.....	4.00
Total miles of construction.....		1,573.70



**CERTIFICATES OF CONVENIENCE AND NECESSITY FOR ABANDONMENT ISSUED UNDER PARAGRAPHS (18) TO (22) OF SECTION 1 OF THE INTERSTATE COMMERCE ACT**

Name of applicant	Location of line	Mileage
Atchison, Topeka & Santa Fe Ry. Co. and California, Arizona & Santa Fe Ry. Co.	Yavapai County, Ariz.	12.890
Bevier & Southern R. R. Co.	Macon County, Mo.	2.554
Bloomsburg & Sullivan R. R. Co.	Columbia County, Pa.	9.000
Boston & Maine R. R.	Essex County, Mass.	15.000
Do	Middlesex and Essex Counties, Mass.	8.000
Do	do	8.820
Do	Hillsborough County, N. H.	18.540
Do	Grafton County, N. H.	3.260
Do	York County, Me.	4.500
Brownwood North & South Ry. Co.	Brown County, Tex.	17.650
Buffalo, Bradford & Pittsburgh R. R. Co. and Erie R. R. Co.	McKean County, Pa.	3.680
Chicago & North Western Ry. Co.	Grant County, Wis.	16.400
Do	Milwaukee County, Wis.	5.187
Chicago, Burlington & Quincy R. R. Co.	Platte County, Wyo.	9.740
Chicago, Milwaukee & St. Paul Ry. Co., H. E. Byram, Mark W. Potter, and Edward J. Brundage, receivers.	Missoula County, Mont.	3.000
Chicago, Rock Island & Pacific Ry. Co.	Mercer County, Ill.	5.293
Choctaw, Oklahoma & Gulf R. R. Co. and Chicago, Rock Island & Pacific Ry. Co.	Blaine County, Okla.	21.930
Colfax Northern Ry. Co.	Jasper County, Iowa.	5.930
Combs, Cass & Eastern R. R. Co.	Franklin County, Ark.	9.080
Denver & Rio Grande Western R. R. Co.	Saguache County, Colo.	16.960
Duluth & Northeastern R. R. Co.	St. Louis County, Minn.	4.000
Eastern Kentucky Ry. Co.	Greenup and Carter Counties, Ky.	22.777
Fairchild & Northeastern Ry. Co.	Eau Claire and Clark Counties, Wis.	42.000
Gulf Ports Terminal Ry. Co.	Escambia County, Fla., and Baldwin County, Ala.	42.720
Kenilworth & Helper R. R. Co.	Carbon County, Utah.	3.750
Lehigh & New England R. R. Co. and Potchuck R. R. Co.	Orange County, N. Y., and Sussex County, N. J.	2.384
Louisiana & Pacific Ry. Co.	Beauregard and Calcasieu Parishes, La.	43.400
Macopin R. R. Co. and New York, Susquehanna & Western R. R. Co.	Passaic County, N. J.	1.553
Mineral Range R. R. Co. and Hancock & Calumet R. R. Co.	Houghton and Keweenaw Counties, Mich.	7.160
Minneapolis, St. Paul & Sault Ste. Marie Ry. Co.	Shawano and Langlade Counties, Wis.	10.750
Monroe & Texas R. R. Co.	Ouachita Parish, La.	2.510
Morse Bros. Machinery & Supply Co. (Saratoga & Encampment Ry.).	Carbon County, Wyo.	44.770
Nacogdoches & Southeastern R. R. Co.	Nacogdoches County, Tex.	6.000
Do	do	6.000
New York Central R. R. Co. and Beech Creek R. R. Co.	Clearfield County, Pa.	2.980
New York, Lake Erie & Western Coal & R. R. Co. and Erie R. R. Co.	Elk County, Pa.	2.300
Pennsylvania R. R. Co. and Pennsylvania, Ohio & Detroit R. R. Co.	Wayne County, Ohio.	8.500
Pennsylvania R. R. Co. and Western New York & Pennsylvania Ry. Co.	Crawford County, Pa.	7.000
Pere Marquette Ry. Co.	Newago and Mecosta Counties, Mich.	19.670
Poteau Valley R. R. Co.	Le Flore County, Okla.	6.600
Roanoke Ry. Co.	Brunswick County, Va., and Northampton and Halifax Counties, N. C.	6.500
St. Louis-San Francisco Ry. Co. and Kansas City, Fort Scott & Memphis Ry. Co.	Linn County, Kans., and Bates County, Mo.	20.780
Smoky Mountain Ry. Co.	Swain County, N. C.	9.600
Southern Ry. Co.	Pittsylvania County, Va.	5.000
Southern Pacific Co. and New Mexico & Arizona R. R. Co.	Cochise County, Ariz.	15.661
Superior & Southeastern Ry. Co.	Bayfield and Ashland Counties, Wis.	13.283
Texas & New Orleans R. R. Co.	Tyler and Jasper Counties, Tex.	10.500
Weyeross & Western R. R. Co.	Ware and Clinch Counties, Ga.	21.000
Woodworth & Louisiana Central Ry. Co.	Rapides Parish, La.	6.000
Total miles abandoned		592.562

**CERTIFICATES OF CONVENIENCE AND NECESSITY FOR ACQUISITION AND/OR OPERATION OF LINES ISSUED UNDER PARAGRAPHS (18) TO (22) OF SECTION 1 OF THE INTERSTATE COMMERCE ACT**

Name of applicant	Location of line	Mileage
Alameda Belt Line.....	Alameda County, Calif.....	1. 200
Artemus-Jellico R. R. Co.....	Knox County, Ky.....	12. 900
Asphalt Belt Ry. Co.....	Zavalia and Uvalde Counties, Tex.....	18. 000
Atchison, Topeka & Santa Fe. Ry. Co.....	San Francisco Bay and San Antonio Estuary, Calif.....	18. 000
Atlanta, Birmingham & Coast R. R. Co.....	Alabama and Georgia.....	640. 000
Belt Ry. Co. of Chicago.....	Cook County, Ill.....	4. 000
Cape Fear Railways, Inc.....	Cumberland County, N. C.....	7. 000
Chesapeake & Ohio Ry. Co.....	Floyd and Knott Counties, Ky.....	3. 510
Chicago & Illinois Midland Ry. Co.....	Sangamon County, Ill.....	17. 000
Chicago, Springfield & St. Louis Ry. Co.....	Sangamon, Morgan, Macoupin, and Jersey Counties, Ill.....	78. 780
Columbia & Cowlitz Ry. Co.....	Cowlitz County, Wash.....	2. 900
Gulf, Mobile & Northern R. R. Co.....	Madison, Henderson, Carroll, and Henry Counties, Tenn.; and Galloway, Marshall, Graves, and McCrackin Counties, Ky.....	145. 330
Heraldton & Santa Fe Ry. Co.....	Carter and Jefferson Counties, Okla.....	36. 000
Hutchinson & Northern Ry. Co.....	Reno County, Kans.....	4. 731
Iberia & Vermilion R. R. Co.....	Vermilion Parish, La.....	12. 390
Jacksonville & Havana R. R. Co.....	Morgan, Cass, and Mason Counties, Ill.....	41. 800
Litchfield & Madison Ry. Co.....	Madison and Macoupin Counties, Ill.....	8. 000
Los Angeles Junction Ry. Co.....	Los Angeles County, Calif.....	. 910
Maine Central R. R. Co.....	Sagadahoc County, Me.....	1. 458
Middle Creek R. R. Co.....	Clay County, W. Va.....	4. 200
Murfreesboro-Nashville Southwestern Ry. Co.	Howard, Hempstead, and Pike Counties, Ark.....	15. 000
Muscle Shoals, Birmingham & Pensacola R. R. Co.	Escambia County, Fla., and Baldwin, Escambia, Monroe, and Wilcox Counties, Ala.....	159. 030
Nacogdoches & Southeastern R. R. Co.....	Nacogdoches and Shelby Counties, Tex.....	28. 000
Natchez, Columbia & Mobile R. R. Co.....	Lawrence County, Miss.....	7. 000
Orange & Fredericksburg R. R. Co.....	Spottsylvania and Orange Counties, Va.....	37. 600
Pearl River Valley R. R. Co.....	Pearl River County, Miss.....	8. 000
Pennsylvania, Ohio & Detroit R. R. Co.....	Ohio and Michigan.....	788. 480
Sacramento Northern Ry. Co.....	Yolo County, Calif.....	8. 000
Santa Fe Northwestern Ry. Co.....	Sandoval County, N. Mex.....	6. 320
Southern Railway Co.....	Walker County, Ala.....	6. 400
Springfield, Havana & Peoria R.R.Co.....	Tazewell, Mason, Menard, and Sangamon Counties, Ill.....	77. 020
Twin Branch R. R. Co.....	St. Joseph County, Ind.....	3. 569
Union Pacific R. R. Co.....	Summit and Wasatch Counties, Utah.....	5. 370
Warrior River Terminal Co.....	Jefferson County, Ala.....	3. 580
Do.....	do.....	18. 200
Western Pacific R. R. Co.....	San Francisco Bay and San Antonio Estuary, Calif.....	11. 000
Yale Short Line R. R. Co.....	Clark, Cumberland, and Jasper Counties, Ill.....	12. 520
Total number of miles.....		2, 253. 198

# AUTHORIZATIONS OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER UNDER PARAGRAPH (2) OF SECTION 5 OF THE INTERSTATE COMMERCE ACT

Carrier acquiring control	Control acquired		
	Owning company	Miles of road	How acquired
Atchison, Topeka & Santa Fe Ry. Co.	Rocky Mountain & Santa Fe Ry. Co.	100.580	Lease.
Do.	Fresno Interurban Ry. Co.	17.500	Purchase of stock and lease.
Do.	Garden City, Gulf & Northern Ry. Co.	38.000	Lease.
Do.	New Mexico Central Ry. Co.	116.000	Purchase of stock and lease.
Do.	Corona & Santa Fe Ry. Co.	15.000	Purchase of stock and lease.
Do.	Healdton & Santa Fe Ry. Co.	36.000	Purchase of stock.
Atchison, Topeka & Santa Fe Ry. Co. and Western Pacific R. R. Co.	Alameda Belt Line.	3.960	Purchase of stock.
Baltimore & Ohio R. R. Co.	Cincinnati, Indianapolis & Western R. R. Co.	308.630	Purchase of stock.
Do.	Dayton & Union R. R. Co.	31.940	Operating contract.
Do.	Hamilton Belt Ry. Co.	2.940	Operating contract.
Canadian Pacific Ry. Co.	Connecticut & Passumpsic Rivers R. R. Co.	69.000	Lease.
Chesapeake & Ohio Ry. Co.	Island Creek R. R. Co.	5.430	Purchase of stock.
Do.	Pond Fork & Bald Knob R. R. Co.	13.100	Purchase of stock and lease.
Chicago & Illinois Midland Ry. Co.	Springfield, Havana & Peoria Ry. Co.	77.020	Purchase of stock and lease.
Chicago & North Western Ry. Co.	Chicago, St. Paul, Minneapolis & Omaha Ry. Co.	1,749.190	Purchase of stock.
Gulf, Colorado & Santa Fe Ry. Co.	Oklahoma, New Mexico & Pacific Ry. Co. and Ringling & Oil Fields Ry. Co.	36.000	Lease.
Gulf, Mobile & Northern R. R. Co.	Jackson & Eastern Ry. Co.	33.000	Purchase of stock.
Inland Waterways Corporation	Warrior River Terminal Co.	18.000	Purchase of stock.
Kansas City Southern Ry. Co.	Texarkana & Fort Smith Ry. Co.	105.000	Lease.
Do.	Kansas City & Grandview Ry. Co.	13.480	Purchase of stock.
Louisville & Nashville R. R. Co.	Cumberland & Manchester R. R. Co.	25.590	Purchase of stock and lease.
Missouri-Kansas-Texas R. R. Co., New Orleans, Texas & Mexico Ry. Co., and Atchison, Topeka & Santa Fe Ry. Co.	Texas City Terminal Ry. Co.	6.380	Purchase of stock.
Missouri Pacific R. R. Co.	Marion & Eastern R. R. Co.	10.000	Purchase of stock.
New Orleans, Texas & Mexico Ry. Co.	{ Asherton & Gulf Ry. Co. Rio Grande City Ry. Co. Sugar Land Ry. Co.	{ 93.040	{ Purchase of stock.
Do.	San Antonio, Uvalde & Gulf R. R. Co.	315.580	Purchase of stock.
New York Central R. R. Co.	Hudson River Connecting R. R. Co.	26.500	Lease.
Do.	Bailey Run, Sugar Creek & Athens Ry. Co.	3.600	Purchase of stock.
Panhandle & Santa Fe Ry. Co.	South Plains & Santa Fe Ry. Co.	166.460	Lease.
Pennsylvania R. R. Co.	Western Allegheny R. R. Co.	47.890	Purchase of stock.
Do.	St. Louis Connecting R. R. Co.	9.200	Purchase of stock.
Do.	Pennsylvania, Ohio & Detroit R. R. Co.	793.000	Lease.
Pittsburgh & West Virginia Ry. Co.	West Side Belt R. R. Co.	22.630	Operating contract.
St. Louis-San Francisco Ry. Co.	Muscle Shoals, Birmingham & Pensacola R. R. Co.	159.030	Purchase of stock.
Seaboard Air Line Ry. Co.	Charlotte Harbor & Northern Ry. Co.	95.360	Purchase of stock and lease.
Do.	Tavares & Gulf R. R. Co.	33.950	Purchase of stock.



**AUTHORIZATIONS OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER UNDER PARAGRAPH (2) OF SECTION 5 OF THE INTER-STATE COMMERCE ACT—Continued**

Carrier acquiring control	Control acquired		
	Owning company	Miles of road	How acquired
Seaboard Air Line Ry. Co.....	Brooksville & Inverness Ry.....	18.740	Purchase of stock and lease.
Do.....	Tampa Northern R. R. Co.....	58.870	Lease.
Do.....	Seaboard-All Florida Ry.....	194.000	Purchase of stock and lease.
Do.....	East & West Coast Ry. Co. and Florida Western & Northern R. R. Co.	286.000	Lease.
Seaboard-All Florida Ry.....	East & West Coast Ry. Co. and Florida Western & Northern R. R. Co.	286.000	Lease.
Southern Pacific Co.....	Holton Inter-Urban Ry. Co.....	10.477	Purchase of stock.
Do.....	Dayton-Goose Creek R. R. Co.....	25.140	Purchase of stock.
Do.....	Nevada-California-Oregon Ry.....	154.630	Purchase of stock.
Do.....	Oregon, California & Eastern Ry. Co...	40.000	Purchase of stock.
Texas & New Orleans R. R. Co.....	Dayton-Goose Creek R. R. Co.....	25.140	Lease.
Utah Ry. Co.....	National Coal Ry. Co.....	8.500	Purchase of stock and lease.
Wabash Ry. Co.....	Ann Arbor R. R. Co.....	293.700	Purchase of stock.
Yazoo & Mississippi Valley R. R. Co..	Alabama & Vicksburg Ry. Co. and Vicksburg, Shreveport & Pacific Ry. Co.	329.000	Lease.
Total.....		6,328.177	

**AUTHORIZATION OF CONSOLIDATION OF TELEPHONE COMPANIES AND ACQUISITIONS OF TELEPHONE PROPERTIES UNDER PARAGRAPH (9) OF SECTION 407 OF THE TRANSPORTATION ACT, 1920, AS AMENDED**

Bell Telephone Co. of Pennsylvania to acquire certain properties of the Farmers Telephone Co., serving 275 subscribers, with 2 pole miles of toll line, in Pennsylvania.

Bell Telephone Co. of Pennsylvania to acquire 27.32 pole miles of toll line from the Meadville Telephone Co. and latter company to acquire from the Bell Telephone Co. of Pennsylvania certain central office equipment and 48.86 miles of toll wire.

Bell Telephone Co. of Pennsylvania to acquire by purchase from the Peoples Telephone Corporation 14 pole miles of toll lines; and latter company to acquire by purchase certain properties of the Bell Telephone Co. of Pennsylvania, serving 2,719 subscribers, with 40 pole miles of toll lines, in Pennsylvania.

Bell Telephone Co. of Pennsylvania to acquire by purchase the properties of the Stroudsburg & Bushkill Telephone Co., serving 1,661 subscribers, in Pennsylvania.

Commonwealth Telephone Co. to acquire by purchase the properties of the Merchants Telephone Co., serving 2,290 subscribers, with 168 pole miles of toll lines, in Pennsylvania.

Cumberland Telephone & Telegraph Co. (Inc.) to acquire by purchase the properties of the Rogersville Telephone & Telegraph Co., serving 191 subscribers, in Tennessee.

Cumberland Telephone & Telegraph Co. (Inc.) to acquire by purchase certain properties of the Tri-State Telephone Co., serving 835 subscribers, with 105 pole miles of toll lines, in Kentucky.

Cumberland Telephone & Telegraph Co. (Inc.) to acquire by purchase the properties of the Shreveport Home Telephone Co., serving 1,290 subscribers, in Louisiana.

Cumberland Telephone & Telegraph Co. (Inc.) to acquire by purchase the properties of the Shelby County Telephone Co., serving 552 subscribers, in Kentucky.

Cumberland Telephone & Telegraph Co. (Inc.) to acquire by purchase the properties of the Citizens Telephone Co., serving 1,051 subscribers, in Tennessee.

Illinois Bell Telephone Co. to acquire by purchase the properties of the Home Telephone Co. of Cairo, serving 2,231 subscribers, in Illinois.

Inter-Mountain Telephone Co. to acquire by purchase the properties of the Holston Telephone Co., serving 875 subscribers, in Tennessee.

Mutual Telephone Co. to acquire by purchase certain properties of the Bell Telephone Co. of Pennsylvania, serving 8,139 subscribers, with 118 pole miles of toll line, in Pennsylvania.

Ohio Bell Telephone Co. to acquire by purchase the properties of the Mentor Telephone Co., serving 355 subscribers, in Ohio.

Ohio Bell Telephone Co. to acquire by purchase the properties of the Kirtland Telephone Co., serving 196 subscribers, in Ohio.

Pacific Telephone & Telegraph Co. to acquire by purchase the properties of the Tillamook County Mutual Telephone Co., serving 576 subscribers, in Oregon.

Perry County Telephone Co. to acquire by purchase the properties of the Somerset Telephone Co., serving 213 subscribers, in Ohio.

Southern Bell Telephone & Telegraph Co. to acquire the properties of the Eastern Kentucky Home Telephone Co., serving 442 exchange stations and 86 toll stations, with 175 pole miles of toll lines, in Kentucky.

Southern Bell Telephone & Telegraph Co. to acquire the properties of the Whitesburg Telephone Co., serving 44 exchange stations and 30 toll stations, with 26.5 pole miles of toll lines, in Kentucky.

Southern Bell Telephone & Telegraph Co. to acquire by purchase the properties of J. M. Peterson et al., doing business as the Spruce Pine Telephone Co., serving 68 subscribers, in North Carolina.

Southern Bell Telephone & Telegraph Co. to acquire by purchase the properties of the Broward Utilities Co., serving 1,062 subscribers, in Florida.

Southern Bell Telephone & Telegraph Co. to acquire by purchase the telephone properties of C. R. Sikes, doing business as the Sikes Telephone Co., serving 145 subscribers, in Florida.

United Telephone Co. to acquire by purchase certain properties of the Central Kansas Telephone Co., serving 232 subscribers, in Kansas.

United Telephone Co. to acquire certain properties of the Central Kansas Telephone Co., serving 803 subscribers, in Kansas.

Wisconsin Telephone Co. to acquire by purchase the properties of the Ozaukee-Washington Telephone Co., serving 1,083 subscribers, with 338 pole miles of toll lines, in Wisconsin.

Wisconsin Telephone Co. to acquire by purchase the properties of the Pewaukee-Sussex Telephone Co., serving 403 subscribers, in Wisconsin.

### CERTIFICATES ISSUED IN SETTLEMENT UNDER SECTION 204 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1926

Carrier	Gross amount due	Deductions on account of traffic balances
Cuyahoga Valley.....	\$57,866.86	-----
Delray Connecting.....	24,791.98	-----
Ferdinand.....	4,694.60	-----
Louisiana Ry. & Navigation Co.....	133,823.60	\$11,404.09
Manistee & Repton.....	18,747.78	18,771.83
Marcellus & Otisco.....	12,089.80	-----
Quincy.....	9,504.31	-----
Western Cable.....	14,568.24	-----
Net total.....	108,440.07	30,175.92

<sup>1</sup> Represents amount due to the United States.

### CASES DISMISSED UNDER SECTION 204 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1926

Asherton & Gulf.  
 Bevier & Southern.  
 Bingham & Garfield.  
 California Western R. R. & Nav. Co.  
 Cement, Tolenas & Tidewater.  
 Chattahoochee Valley.  
 Chicago & Calumet River.  
 Colorado & Wyoming.  
 Death Valley.  
 Dent's Run.  
 East Broad Top R. R. & Coal Co.  
 Garyville Northern.  
 Gulf & Sabine River.  
 Lakeside & Marblehead.  
 Magma Arizona.  
 Mount Hood.  
 Mount Hope Mineral.  
 Nevada Northern.

Niagara Junction.  
 Ray & Gila Valley.  
 Red River & Gulf.  
 Rio Grande & Eagle Pass.  
 Rock Island Southern.  
 St. Louis, Kennett & Southeastern.  
 St. Louis, Troy & Eastern.  
 Sumter & Choctaw.  
 Sumpter Valley.  
 Tennessee & North Carolina.  
 Texas & Oklahoma Eastern.  
 Tuckerton.  
 Union (of Pennsylvania).  
 Union & Glenn Springs.  
 Visalia Electric.  
 White River.  
 Winifrede.

**CERTIFICATES ISSUED IN SETTLEMENT UNDER SECTION 209 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1926**

Carrier	Amount <sup>1</sup>	Carrier	Amount <sup>1</sup>
Alabama, Tennessee & Northern.....	\$32,906.93	Louisiana Ry. & Nav. Co.....	\$100,130.45
Atchison, Topeka & Santa Fe.....	4,538.03	Memphis, Dallas & Gulf.....	4,287.80
Atlanta, Birmingham & Atlantic.....	13,453.51	Northwestern Terminal.....	10,571.78
Buffalo & Susquehanna.....	21,749.31	Port Bolivar Iron Ore.....	11,602.01
Central R. R. Co. of New Jersey.....	665,244.72	Unadilla Valley.....	2,428.73
Cumberland & Manchester.....	8,000.00	Waterloo, Cedar Falls & Northern.....	6,072.49
Delray Connecting.....	24,040.80		
Denver & Salt Lake.....	40,094.62	Net amount certified for payment.....	816,842.90
Great Northern.....	<sup>2</sup> 98,444.48		

<sup>1</sup> Figures in italics represent amounts due the United States.

<sup>2</sup> Supplemental payment.

**CARRIERS COVERED BY SETTLEMENT CERTIFICATES ISSUED UNDER SECTION 209, TRANSPORTATION ACT, 1920, TO CONTROLLING CARRIER, DURING THE YEAR ENDED OCTOBER 31, 1926**

Carrier	Controlling carrier
Grand Canyon.....	Atchison, Topeka & Santa Fe.
Gulf, Colorado & Santa Fe.....	Do.
Kansas Southwestern.....	Do.
Panhandle & Santa Fe.....	Do.
Rio Grande, El Paso & Santa Fe.....	Do.

**CASES DISMISSED UNDER SECTION 209 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1926**

Arizona Southern.  
Beaver Dam.  
Norton & Northern.

Susquehanna River & Western.  
Washington, Brandywine & Point Lookout.

**PAYMENTS MADE BY CARRIERS OF ONE-HALF OF THEIR EXCESS NET RAILWAY OPERATING INCOME, AS PRELIMINARILY COMPUTED, UNDER PARAGRAPH (6) OF SECTION 15a OF THE INTER-STATE COMMERCE ACT, DURING THE YEAR ENDED OCTOBER 31, 1926**

Name of carrier	Year to which applicable						Total
	1920	1921	1922	1923	1924	1925	
Ashley Drew & Northern Ry. Co.....						\$3,344.82	\$3,344.82
Augusta Northern Ry. Co.....						1,106.94	1,106.94
Chattahoochee Valley Ry. Co.....						16,140.12	16,140.12
Chicago & Illinois Midland Ry. Co.....						47,375.65	47,375.65
Collins & Glenville R. R. Co.....						162.50	162.50
Cowlitz, Chehalis & Cascade Ry.....				\$1,500.00			1,500.00
Dayton-Goose Creek Ry. Co.....						85,528.03	85,528.03
DeKalb & Western R. R. Co.....						10,025.47	10,025.47
Duluth, Missabe & Northern Ry. Co.....						545,892.85	545,892.85
Fort Worth Belt Ry. Co.....						12,257.73	12,257.73
Genesee & Wyoming R. R. Co.....						58,379.87	58,379.87
Indiana Northern Ry. Co.....						685.17	685.17
Ironton R. R. Co.....	<sup>1</sup> \$3,287.17	\$7,307.38	\$57.06	1,169.81	\$3,683.87	86,918.25	95,849.20
Ludington & Northern Ry. Co.....						1,379.03	1,379.03
Natchez, Urania & Ruston Ry. Co.....				87.69			87.69
Tuckerton R. R. Co.....						3,549.12	3,549.12
Unity Railways Co.....						35,730.05	35,730.05
Upper Merion & Plymouth R. R. Co.....						2,984.58	2,984.58
Warrenton R. R. Co.....						3,831.78	3,831.78
Washington Run R. R. Co.....		44.81		4,548.16			4,592.97
Total.....	<sup>1</sup> 3,287.17	7,352.19	57.06	7,305.66	3,683.87	915,291.96	930,403.57

<sup>1</sup> Represents deduction account of alleged overpayment previously made.



**LOANS CERTIFIED TO THE SECRETARY OF THE TREASURY  
UNDER SECTION 210 OF THE TRANSPORTATION ACT, 1920, AS  
AMENDED SINCE THE EFFECTIVE DATE OF SAID ACT; REPAY-  
MENTS MADE ON ACCOUNT OF SUCH LOANS, AND STATUS OF  
THE REVOLVING FUND CREATED BY SAID SECTION**

Carrier	Total loans	Total repayments	Net certified indebtedness
Akron, Canton & Youngstown.....	\$212,000.00	\$212,000.00	-----
Alabama & Vicksburg.....	1,394,000.00	1,394,000.00	-----
Alabama, Tennessee & Northern.....	489,000.00	213,750.00	\$275,250.00
Ann Arbor.....	650,000.00	425,000.00	225,000.00
Aransas Harbor Terminal.....	50,000.00	-----	50,000.00
Atlanta, Birmingham & Atlantic.....	200,000.00	200,000.00	-----
Baltimore & Ohio.....	8,200,000.00	8,200,000.00	-----
Bangor & Aroostook.....	253,100.00	169,100.00	84,000.00
Birmingham & Northwestern.....	75,000.00	75,000.00	-----
Boston & Maine.....	26,705,479.00	5,000,000.00	21,705,479.00
Buffalo, Rochester & Pittsburgh.....	1,000,000.00	1,000,000.00	-----
Cambria & Indiana.....	250,000.00	250,000.00	-----
Carolina, Clinchfield & Ohio.....	10,000,000.00	10,000,000.00	-----
Central New England.....	300,000.00	-----	300,000.00
Central of Georgia.....	237,900.00	237,900.00	-----
Central Vermont.....	193,000.00	193,000.00	-----
Charles City Western.....	140,000.00	-----	140,000.00
Chesapeake & Ohio.....	9,097,000.00	1,023,976.03	8,073,023.97
Chicago & Eastern Illinois.....	785,000.00	785,000.00	-----
Chicago & Western Indiana.....	8,000,000.00	384,000.00	7,616,000.00
Chicago Great Western.....	2,685,373.00	756,000.00	1,929,373.00
Chicago, Indianapolis & Louisville.....	200,000.00	45,000.00	155,000.00
Chicago, Milwaukee & St. Paul.....	70,340,000.00	35,340,000.00	35,000,000.00
Chicago, Rock Island & Pacific.....	11,430,540.00	3,568,540.00	7,862,000.00
Cisco & Northeastern.....	236,450.00	6,200.00	230,250.00
Cowlitz, Chehalis & Cascade.....	45,000.00	45,000.00	-----
Cumberland & Manchester.....	375,000.00	-----	375,000.00
Erie.....	11,574,450.00	-----	11,574,450.00
Evansville, Indianapolis & Terre Haute.....	400,000.00	400,000.00	-----
Fernwood, Columbia & Gulf.....	33,000.00	13,000.00	20,000.00
Flemingsburg & Northern.....	7,250.00	7,250.00	-----
Fort Dodge, Des Moines & Southern.....	200,000.00	-----	200,000.00
Fort Smith & Western.....	156,000.00	156,000.00	-----
Gainesville & Northwestern.....	75,000.00	-----	75,000.00
Georgia & Florida.....	792,000.00	-----	792,000.00
Great Northern.....	33,496,000.00	33,496,000.00	-----
Greene County.....	60,000.00	30,000.00	30,000.00
Gulf, Mobile & Northern.....	1,433,500.00	1,433,500.00	-----
Hocking Valley.....	1,665,000.00	1,665,000.00	-----
Illinois Central.....	4,440,000.00	4,440,000.00	-----
Indiana Harbor Belt.....	579,000.00	579,000.00	-----
International & Great Northern.....	194,300.00	194,300.00	-----
Inter-Urban.....	633,500.00	-----	633,500.00
Kansas City, Mexico & Orient.....	5,000,000.00	2,500,000.00	2,500,000.00
Kansas City Terminal.....	580,000.00	580,000.00	-----
Lake Erie, Franklin & Clarion.....	25,000.00	12,500.00	12,500.00
Long Island.....	719,000.00	719,000.00	-----
Louisville & Jeffersonville Bridge & R. R.....	162,000.00	162,000.00	-----
Maine Central.....	2,373,000.00	2,373,000.00	-----
Minneapolis & St. Louis.....	1,768,190.00	36,725.87	1,731,464.13
Missouri & North Arkansas.....	3,500,000.00	-----	3,500,000.00
Missouri, Kansas & Texas of Texas.....	450,000.00	450,000.00	-----
Missouri Pacific.....	10,071,790.00	4,762,000.00	5,309,790.00
New Orleans, Texas & Mexico.....	1,160,000.00	1,160,000.00	-----
New York Central.....	26,775,000.00	26,775,000.00	-----
New York, New Haven & Hartford.....	27,530,000.00	500,000.00	27,030,000.00
Norfolk Southern.....	1,666,000.00	203,000.00	1,463,000.00
Northern Pacific.....	6,000,000.00	6,000,000.00	-----
Pennsylvania.....	12,480,000.00	12,480,000.00	-----
Peoria & Pekin Union.....	1,799,000.00	1,799,000.00	-----
Rutland.....	61,000.00	61,000.00	-----
Salt Lake & Utah.....	1,000,000.00	127,400.00	872,600.00
Seaboard Air Line.....	19,857,400.00	2,184,500.00	17,672,900.00
Shearwood.....	29,000.00	11,500.00	17,500.00
Tampa Northern.....	100,000.00	100,000.00	-----
Tennessee Central.....	1,500,000.00	1,500,000.00	-----
Terminal Railroad Association of St. Louis.....	896,925.00	896,925.00	-----
Toledo, St. Louis & Western.....	692,000.00	230,000.00	462,000.00
Trans-Mississippi Terminal.....	1,000,000.00	1,000,000.00	-----
Virginia Blue Ridge.....	106,000.00	-----	106,000.00
Virginia Southern.....	38,000.00	-----	38,000.00

<sup>1</sup> Includes \$5,200,000 loaned through National Railway Service Corporation.

<sup>2</sup> Includes \$53,100 loaned through National Railway Service Corporation.

<sup>3</sup> Includes \$1,598,540 loaned through National Railway Service Corporation.

<sup>4</sup> Includes \$386,190 loaned through National Railway Service Corporation.

<sup>5</sup> Includes \$926,000 loaned through National Railway Service Corporation.

<sup>6</sup> Includes \$4,400,000 loaned through Seaboard Bay-Line Company.

LOANS CERTIFIED TO THE SECRETARY OF THE TREASURY  
UNDER SECTION 210, ETC.—Continued

Carrier	Total loans	Total repayments	Net certified indebtedness
Virginian.....	\$2,000,000.00	\$2,000,000.00	-----
Waterloo, Cedar Falls & Northern.....	1,320,000.00	60,000.00	\$1,260,000.00
Western Maryland.....	3,422,800.00	800,000.00	2,622,800.00
Wheeling & Lake Erie.....	<sup>7</sup> 6,764,000.00	1,814,290.46	4,949,709.54
Wichita Northwestern.....	381,750.00	-----	381,750.00
Wilmington, Brunswick & Southern.....	90,000.00	-----	90,000.00
Total.....	350,600,667.00	183,235,357.36	167,365,309.64

<sup>7</sup> Includes \$3,304,000 loaned through National Railway Service Corporation.

STATUS OF REVOLVING FUND

Appropriation.....	\$300,000,000.00
Accrued interest and repayments of principal paid to Oct. 31, 1926.....	249,073,145.32
Total.....	549,073,145.32
Tentatively reserved for claims, judgments, etc., arising out of Federal control.....	40,000,000.00
Balance available for loans.....	509,073,145.32
Total loans certified.....	350,600,667.00
Unencumbered balance.....	158,472,478.32





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